

1627

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF TEXAS

3 SHERMAN DIVISION

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6 THE UNITED STATES OF AMERICA] CASE NO. 4:12CR16

7 VS.] 9 AM, DECEMBER 12, 2012

8 RENE CORTEZ SALAZAR, ET AL] PLANO, TEXAS

9 -----

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11 REPORTER'S TRANSCRIPT OF JURY TRIAL

12

13 VOLUME 7 OF 7, PAGES 1627 THROUGH 1804

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17 CONCORDANCE, PAGE 1775

18

19 THE HONORABLE RICHARD A. SCHELL, U.S. DISTRICT JUDGE, PRESIDING

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21

22

23

24 PROCEEDINGS REPORTED IN REALTIME USING COMPUTERIZED STENOTYPE,

25 TRANSCRIPT PRODUCED USING COMPUTER-AIDED TRANSCRIPTION.

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1 [COURT REPORTER'S NOTES 20121212, 9 AM, WEDNESDAY,
2 DECEMBER 12, 2012, PLANO, TEXAS, U.S. DISTRICT JUDGE RICHARD A.
3 SCHELL PRESIDING]

4 APPEARANCES:

5 FOR THE GOVERNMENT: ERNEST GONZALEZ
6 TRACEY BATSON
7 ASSISTANT U.S. ATTORNEYS
8 U.S. ATTORNEY'S OFFICE
9 101 EAST PARK BOULEVARD, SUITE 500
10 PLANO, TEXAS 75074
11 972-509-1201

12 FOR THE DEFENDANT RENE CORTEZ SALAZAR:

13 KYLE KEMP
14 ATTORNEY AT LAW
15 406 N. GRAND AVENUE, SUITE 106
16 GAINESVILLE, TEXAS 76240
17 469-223-7821

18 FOR THE DEFENDANT TIMOTHY LEDON BOWEN:

19 JAMES P. WHALEN
20 ATTORNEY AT LAW
21 6500 INTERNATIONAL PARKWAY #1700
22 PLANO, TEXAS 75093
23 214-368-2560

1 FOR THE DEFENDANT JUAN CARLOS VEGA:

2 JOEL KEITH PETRAZIO

3 ATTORNEY AT LAW

4 5700 GRANITE PARKWAY, SUITE 200

5 PLANO, TEXAS 75024

6 972-965-1016

7

8

09:10AM

9

09:10AM

10

THE COURT: THANK YOU. YOU MAY BE SEATED.

09:10AM

11

OKAY. COUNSEL SHOULD HAVE COPIES OF THE FINAL DRAFT
OF THE COURT'S JURY INSTRUCTIONS. LET ME JUST TELL YOU THAT I
MADE THE CHANGE THAT MR. GONZALEZ REQUESTED ON THE VERDICT FORM
AND I TOOK OUT THE INSTRUCTION ON MULTIPLE CONSPIRACIES.

09:11AM

15

SO, TO THE FINAL DRAFT OF THE JURY INSTRUCTIONS,
ARE THERE ANY OBJECTIONS BY THE GOVERNMENT?

09:11AM

17

MR. GONZALEZ: NO OBJECTIONS, YOUR HONOR.

09:11AM

18

THE COURT: ALL RIGHT.

09:11AM

19

AND ARE THERE OBJECTIONS BY THE DEFENDANTS?

09:11AM

20

MR. KEMP: NO OBJECTIONS AS TO MR. SALAZAR, YOUR
HONOR.

09:11AM

22

MR. WHALEN: YES, YOUR HONOR. ON BEHALF OF

09:11AM

23

MR. BOWEN, WE WOULD OBJECT TO THE JURY INSTRUCTION FOR FAILING
TO INCLUDE THE MULTIPLE-CONSPIRACIES INSTRUCTION AND THE
BUYER-SELLER INSTRUCTION, FOR THE RECORD.

09:11AM 1 THE COURT: OKAY.

09:11AM 2 MR. PETRAZIO: SAME OBJECTION WITH RESPECT TO

09:11AM 3 FAILURE TO INCLUDE THE MULTIPLE-CONSPIRACY INSTRUCTION FOR

09:11AM 4 MR. JUAN CARLOS VEGA.

09:11AM 5 THE COURT: OKAY.

09:12AM 6 MR. KEMP: YOUR HONOR, EXCUSE ME FOR INTERRUPTING.

09:12AM 7 AS FAR AS MR. SALAZAR GOES, I DO THINK THAT WE WOULD ACTUALLY

09:12AM 8 LODGE A FORMAL OBJECTION TO THE MULTIPLE CONSPIRACIES--FAILURE

09:12AM 9 TO INCLUDE MULTIPLE CONSPIRACIES IN THE JURY INSTRUCTIONS.

09:12AM 10 THE COURT: OKAY. I'M JUST MAKING A NOTE HERE.

09:12AM 11 AS FAR AS TIME FOR ARGUMENTS, HOW MUCH TIME DO YOU

09:12AM 12 WANT FOR ARGUMENTS, MR. GONZALEZ OR MS. BATSON?

09:12AM 13 MS. BATSON: YOUR HONOR, I BELIEVE YESTERDAY WE

09:12AM 14 AGREED ON ABOUT AN HOUR AND 45 MINUTES TOTAL FOR OUR SIDE

09:13AM 15 AND AN HOUR AND 45 MINUTES FOR THE DEFENSE.

09:13AM 16 THE COURT: OKAY. SO YOU AND MR. GONZALEZ WILL USE

09:13AM 17 AN HOUR AND 45 MINUTES?

09:13AM 18 MS. BATSON: WE WILL SPLIT AN HOUR AND 45 MINUTES,

09:13AM 19 YES, YOUR HONOR.

09:13AM 20 THE COURT: OKAY. WHO IS GOING TO OPEN?

09:13AM 21 MS. BATSON: I WILL, YOUR HONOR.

09:13AM 22 THE COURT: OKAY. HOW MUCH TIME DO YOU WANT TO USE

09:13AM 23 IN YOUR OPENING? OR ARE YOU JUST GOING TO TAKE CARE OF THAT

09:13AM 24 YOURSELF?

09:13AM 25 MS. BATSON: YOUR HONOR, I THINK IF I COULD USE

09:13AM 1 ABOUT AN HOUR AND 20 MINUTES WITH A TWO-MINUTE WARNING.

09:13AM 2 AND IF I GO OVER THAT, WE'LL LEAVE THE REST OF THE TIME

09:13AM 3 FOR MR. GONZALEZ.

09:13AM 4 THE COURT: OKAY.

09:13AM 5 MS. BATSON: THANK YOU. I'LL TRY GET IT IN WITHIN

09:13AM 6 AN HOUR AND 20 MINUTES.

09:13AM 7 THE COURT: ABOUT A TWO-MINUTE WARNING, DID YOU SAY?

09:13AM 8 MS. BATSON: PLEASE.

09:13AM 9 THE COURT: OKAY. SO THAT WILL LEAVE MR. GONZALEZ

09:13AM 10 25 MINUTES?

09:13AM 11 MS. BATSON: YES, YOUR HONOR.

09:14AM 12 THE COURT: OKAY.

09:14AM 13 MR. KEMP?

09:14AM 14 MR. KEMP: YOUR HONOR, I'LL BE GOING FIRST. I

09:14AM 15 ANTICIPATE USING APPROXIMATELY 30 MINUTES AND WOULD ALSO

09:14AM 16 APPRECIATE A TWO-MINUTE WARNING, IF POSSIBLE.

09:14AM 17 THE COURT: OKAY.

09:14AM 18 MR. WHALEN?

09:14AM 19 MR. WHALEN: I'D REQUEST 45 MINUTES, WITH A FIVE-MINUTE WARNING.

09:14AM 21 THE COURT: OKAY.

09:14AM 22 AND MR. PETRAZIO?

09:14AM 23 MR. PETRAZIO: YOUR HONOR, I WOULD REQUEST 30 MINUTES, WITH A FIVE-MINUTE WARNING.

09:14AM 25 THE COURT: OKAY.

09:14AM 1 I THINK WE'RE READY, THEN. LET'S BRING IN THE JURY.
09:14AM 2 COURT SECURITY OFFICER: ALL RISE FOR THE JURY,
09:14AM 3 PLEASE.

09:15AM 4 [OPEN COURT, DEFENDANTS AND JURY PRESENT]
09:15AM 5 THE COURT: ALL RIGHT. BE SEATED, PLEASE.
09:15AM 6 LADIES AND GENTLEMEN, YOU WILL FIND IN YOUR CHAIRS
09:15AM 7 A COPY OF THE COURT'S JURY INSTRUCTIONS. I'M REQUIRED TO READ
09:15AM 8 THESE INSTRUCTIONS TO YOU, AND THEN YOU WILL HEAR THE FINAL
09:16AM 9 ARGUMENTS OF THE LAWYERS.

09:16AM 10 AFTER WE GO OVER THE JURY INSTRUCTIONS, BECAUSE THE
09:16AM 11 GOVERNMENT HAS THE BURDEN OF PROOF IN THE CASE, THE GOVERNMENT
09:16AM 12 HAS THE RIGHT TO OPEN FINAL ARGUMENTS AND CLOSE FINAL ARGUMENTS.
09:16AM 13 SO YOU'LL HEAR FIRST FROM MS. BATSON, THEN YOU'LL HEAR THE
09:16AM 14 COMPLETE ARGUMENTS FROM DEFENSE COUNSEL--MR. KEMP, THEN
09:16AM 15 MR. WHALEN, THEN MR. PETRAZIO--AND THEN MR. GONZALEZ WILL USE
09:16AM 16 THE GOVERNMENT'S REMAINING TIME FOR THE GOVERNMENT'S CLOSING
09:16AM 17 ARGUMENT.

09:16AM 18 EACH SIDE WILL HAVE AN HOUR AND 45 MINUTES EACH.
09:16AM 19 SO MS. BATSON WILL ARGUE FIRST. SHE'LL USE PART OF THE HOUR
09:16AM 20 AND 45 MINUTES THAT THE GOVERNMENT HAS, AND THEN EACH OF THE
09:16AM 21 DEFENSE LAWYERS WILL USE THEIR TIME, A TOTAL OF AN HOUR AND
09:16AM 22 45 MINUTES, AND THEN WE'LL COME BACK AND FINISH UP WITH
09:16AM 23 MR. GONZALEZ.

09:17AM 24 SO LET'S GO OVER THE JURY INSTRUCTIONS NOW.
09:17AM 25

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09:17AM 1 JURY INSTRUCTIONS

09:17AM 2 THE COURT: MEMBERS OF THE JURY, IN ANY JURY TRIAL,

09:17AM 3 THERE ARE, IN EFFECT, TWO JUDGES. I AM ONE OF THE JUDGES; THE

09:17AM 4 OTHER IS THE JURY. IT IS MY DUTY TO PRESIDE OVER THE TRIAL

09:17AM 5 AND TO DECIDE WHAT EVIDENCE IS PROPER FOR YOUR CONSIDERATION.

09:17AM 6 IT IS ALSO MY DUTY, AT THE END OF TRIAL, TO EXPLAIN TO YOU THE

09:17AM 7 RULES OF LAW THAT YOU MUST FOLLOW AND APPLY IN ARRIVING AT YOUR

09:17AM 8 VERDICT.

09:17AM 9 FIRST I WILL GIVE YOU SOME GENERAL INSTRUCTIONS

09:17AM 10 WHICH APPLY IN EVERY CASE, FOR EXAMPLE, INSTRUCTIONS ABOUT

09:17AM 11 BURDEN OF PROOF AND HOW TO JUDGE THE BELIEVABILITY OF

09:17AM 12 WITNESSES; THEN I WILL GIVE YOU SOME SPECIFIC RULES OF LAW

09:17AM 13 ABOUT THIS PARTICULAR CASE; AND, FINALLY, I WILL EXPLAIN TO

09:17AM 14 YOU THE PROCEDURES YOU SHOULD FOLLOW IN YOUR DELIBERATIONS.

09:17AM 15 YOU, AS JURORS, ARE THE JUDGES OF THE FACTS. BUT IN

09:17AM 16 DETERMINING WHAT ACTUALLY HAPPENED--THAT IS, IN REACHING YOUR

09:17AM 17 DECISION AS TO THE FACTS--IT IS YOUR SWORN DUTY TO FOLLOW ALL

09:18AM 18 OF THE RULES OF LAW AS I EXPLAIN THEM TO YOU.

09:18AM 19 YOU HAVE NO RIGHT TO DISREGARD OR GIVE SPECIAL

09:18AM 20 ATTENTION TO ANY ONE INSTRUCTION OR TO THE WISDOM OR

09:18AM 21 CORRECTNESS OF ANY RULE I MAY STATE TO YOU. YOU MUST NOT

09:18AM 22 SUBSTITUTE OR FOLLOW YOUR OWN NOTION OR OPINION AS TO WHAT

09:18AM 23 THE LAW IS OR OUGHT TO BE. IT IS YOUR DUTY TO APPLY THE LAW

09:18AM 24 AS I EXPLAIN IT TO YOU, REGARDLESS OF THE CONSEQUENCES.

09:18AM 25 IT IS ALSO YOUR DUTY TO BASE YOUR VERDICT SOLELY

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09:18AM 1 UPON THE EVIDENCE, WITHOUT PREJUDICE OR SYMPATHY. THAT WAS THE
09:18AM 2 PROMISE YOU MADE AND THE OATH YOU TOOK BEFORE BEING ACCEPTED
09:18AM 3 BY THE PARTIES AS JURORS, AND THEY HAVE THE RIGHT TO EXPECT
09:18AM 4 NOTHING LESS.

09:18AM 5 THE INDICTMENT, OR FORMAL CHARGE, AGAINST THE
09:18AM 6 DEFENDANTS IS NOT EVIDENCE OF GUILT. INDEED, THE DEFENDANTS
09:18AM 7 ARE PRESUMED BY THE LAW TO BE INNOCENCE. THE LAW DOES NOT
09:18AM 8 REQUIRE A DEFENDANT TO PROVE HIS INNOCENCE OR PRODUCE ANY
09:19AM 9 EVIDENCE AT ALL, AND NO INFERENCE WHATEVER MAY BE DRAWN FROM
09:19AM 10 THE ELECTION OF A DEFENDANT NOT TO TESTIFY AT THIS TRIAL.
09:19AM 11 THE GOVERNMENT HAS THE BURDEN OF PROVING THE DEFENDANTS GUILTY
09:19AM 12 BEYOND A REASONABLE DOUBT, AND IF IT FAILS TO DO SO, YOU MUST
09:19AM 13 ACQUIT THE DEFENDANTS.

09:19AM 14 WHILE THE GOVERNMENT'S BURDEN OF PROOF IS A STRICT
09:19AM 15 OR HEAVY BURDEN, IT IS NOT NECESSARY THAT THE DEFENDANTS' GUILT
09:19AM 16 BE PROVED BEYOND ALL POSSIBLE DOUBT. IT IS ONLY REQUIRED THAT
09:19AM 17 THE GOVERNMENT'S PROOF EXCLUDE ANY REASONABLE DOUBT CONCERNING
09:19AM 18 THE DEFENDANTS' GUILT.

09:19AM 19 A REASONABLE DOUBT IS A DOUBT BASED UPON REASON AND
09:19AM 20 COMMON SENSE AFTER CAREFUL AND IMPARTIAL CONSIDERATION OF ALL
09:19AM 21 THE EVIDENCE IN THE CASE.

09:19AM 22 PROOF BEYOND A REASONABLE DOUBT, THEREFORE, IS PROOF
09:19AM 23 OF SUCH A CONVINCING CHARACTER THAT YOU WOULD BE WILLING TO
09:19AM 24 RELY AND ACT UPON IT WITHOUT HESITATION IN THE MOST IMPORTANT
09:19AM 25 OF YOUR OWN AFFAIRS.

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09:19AM 1 AS I TOLD YOU EARLIER, IT IS YOUR DUTY TO DETERMINE
09:20AM 2 THE FACTS. IN DOING SO, YOU MUST CONSIDER ONLY THE EVIDENCE
09:20AM 3 PRESENTED DURING THE TRIAL, INCLUDING THE SWORN TESTIMONY OF
09:20AM 4 THE WITNESSES AND THE EXHIBITS. REMEMBER THAT ANY STATEMENTS,
09:20AM 5 OBJECTIONS OR ARGUMENTS MADE BY THE LAWYERS ARE NOT EVIDENCE.
09:20AM 6 THE FUNCTION OF THE LAWYERS IS TO POINT OUT THOSE THINGS THAT
09:20AM 7 ARE MOST SIGNIFICANT OR MOST HELPFUL TO THEIR SIDE OF THE CASE,
09:20AM 8 AND IN SO DOING TO CALL YOUR ATTENTION TO CERTAIN FACTS OR
09:20AM 9 INFERENCES THAT MIGHT OTHERWISE ESCAPE YOUR NOTICE. IN THE
09:20AM 10 FINAL ANALYSIS, HOWEVER, IT IS YOUR OWN RECOLLECTION AND
09:20AM 11 INTERPRETATION OF THE EVIDENCE THAT CONTROLS IN THE CASE.
09:20AM 12 WHAT THE LAWYERS SAY IS NOT BINDING UPON YOU.

09:20AM 13 DURING THE TRIAL, I SUSTAINED OBJECTIONS TO CERTAIN
09:20AM 14 QUESTIONS. YOU MUST DISREGARD THOSE QUESTIONS ENTIRELY.
09:20AM 15 DO NOT SPECULATE AS TO WHAT THE WITNESS WOULD HAVE SAID IF
09:20AM 16 PERMITTED TO ANSWER THE QUESTION. YOUR VERDICT MUST BE BASED
09:20AM 17 SOLELY ON THE LEGALLY ADMISSIBLE EVIDENCE AND TESTIMONY.

09:21AM 18 ALSO, DO NOT ASSUME FROM ANYTHING I MAY HAVE DONE OR
09:21AM 19 SAID DURING THE TRIAL THAT I HAVE ANY OPINION CONCERNING ANY OF
09:21AM 20 THE ISSUES IN THIS CASE. EXCEPT FOR THE INSTRUCTIONS TO YOU ON
09:21AM 21 THE LAW, YOU SHOULD DISREGARD ANYTHING I MAY HAVE SAID DURING
09:21AM 22 THE TRIAL IN ARRIVING AT YOUR FINDINGS--AT YOUR OWN FINDINGS AS
09:21AM 23 TO THE FACTS.

09:21AM 24 WHILE YOU SHOULD CONSIDER ONLY THE EVIDENCE, YOU ARE
09:21AM 25 PERMITTED TO DRAW SUCH REASONABLE INFERENCES FROM THE TESTIMONY

JURY INSTRUCTIONS

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09:21AM 1 AND EXHIBITS AS YOU FEEL ARE JUSTIFIED IN THE LIGHT OF COMMON
09:21AM 2 EXPERIENCE. IN OTHER WORDS, YOU MAY MAKE DEDUCTIONS AND REACH
09:21AM 3 CONCLUSIONS THAT REASON AND COMMON SENSE LEAD YOU TO DRAW FROM
09:21AM 4 THE FACTS WHICH HAVE BEEN ESTABLISHED BY THE EVIDENCE.

09:21AM 5 IN CONSIDERING THE EVIDENCE, YOU SHOULD NOT
09:21AM 6 BE CONCERNED ABOUT WHETHER THE EVIDENCE IS DIRECT OR
09:21AM 7 CIRCUMSTANTIAL. DIRECT EVIDENCE IS THE TESTIMONY OF ONE WHO
09:21AM 8 ASSERTS ACTUAL KNOWLEDGE OF A FACT, SUCH AS AN EYEWITNESS.
09:21AM 9 CIRCUMSTANTIAL EVIDENCE IS PROOF OF A CHAIN OF EVENTS AND
09:22AM 10 CIRCUMSTANCES INDICATING THAT SOMETHING IS OR IS NOT A FACT.
09:22AM 11 THE LAW MAKES NO DISTINCTION BETWEEN THE WEIGHT YOU MAY GIVE
09:22AM 12 TO EITHER DIRECT OR CIRCUMSTANTIAL EVIDENCE.

09:22AM 13 I REMIND YOU THAT IT IS YOUR JOB TO DECIDE WHETHER
09:22AM 14 THE GOVERNMENT HAS PROVED THE GUILT OF THE DEFENDANTS BEYOND A
09:22AM 15 REASONABLE DOUBT. IN DOING SO, YOU MUST CONSIDER ALL OF THE
09:22AM 16 EVIDENCE. THIS DOES NOT MEAN, HOWEVER, THAT YOU MUST ACCEPT
09:22AM 17 ALL OF THE EVIDENCE AS TRUE OR ACCURATE.

09:22AM 18 YOU ARE THE SOLE JUDGES OF THE CREDIBILITY OR
09:22AM 19 BELIEVABILITY OF EACH WITNESS AND THE WEIGHT TO BE GIVEN THE
09:22AM 20 WITNESS'S TESTIMONY. AN IMPORTANT PART OF YOUR JOB WILL BE
09:22AM 21 MAKING JUDGMENTS ABOUT THE TESTIMONY OF THE WITNESSES IN THIS
09:22AM 22 CASE. YOU SHOULD DECIDE WHETHER YOU BELIEVE ALL OR ANY PART OF
09:22AM 23 WHAT EACH PERSON HAD TO SAY, AND HOW IMPORTANT THAT TESTIMONY
09:22AM 24 WAS. IN MAKING THAT DECISION, I SUGGEST THAT YOU ASK YOURSELF
09:22AM 25 A FEW QUESTIONS:

09:22AM 1 DID THE PERSON IMPRESS YOU AS HONEST?

09:23AM 2 DID THE WITNESS HAVE ANY PARTICULAR REASON NOT TO

09:23AM 3 TELL THE TRUTH?

09:23AM 4 DID THE WITNESS HAVE A PERSONAL INTEREST IN THE

09:23AM 5 OUTCOME OF THE CASE?

09:23AM 6 DID THE WITNESS HAVE ANY RELATIONSHIP WITH EITHER

09:23AM 7 THE GOVERNMENT OR THE DEFENSE?

09:23AM 8 DID THE WITNESS SEEM TO HAVE A GOOD MEMORY?

09:23AM 9 DID THE WITNESS CLEARLY SEE OR HEAR THE THINGS ABOUT

09:23AM 10 WHICH HE TESTIFIED?

09:23AM 11 DID THE WITNESS HAVE THE OPPORTUNITY AND ABILITY TO

09:23AM 12 UNDERSTAND THE QUESTIONS CLEARLY AND ANSWER THEM DIRECTLY?

09:23AM 13 DID THE WITNESS'S TESTIMONY DIFFER FROM THE

09:23AM 14 TESTIMONY OF OTHER WITNESSES?

09:23AM 15 THESE ARE A FEW OF THE CONSIDERATIONS THAT WILL HELP

09:23AM 16 YOU DETERMINE THE ACCURACY OF WHAT EACH WITNESS SAID.

09:23AM 17 YOUR JOB IS TO THINK ABOUT THE TESTIMONY OF EACH

09:23AM 18 WITNESS YOU HAVE HEARD AND DECIDE HOW MUCH YOU BELIEVE OF WHAT

09:23AM 19 EACH WITNESS HAD TO SAY. IN MAKING UP YOUR MIND AND REACHING

09:23AM 20 A VERDICT, DO NOT MAKE ANY DECISIONS SIMPLY BECAUSE THERE WERE

09:23AM 21 MORE WITNESSES ON ONE SIDE THAN ON THE OTHER. DO NOT REACH A

09:23AM 22 CONCLUSION ON A PARTICULAR POINT JUST BECAUSE THERE WERE MORE

09:23AM 23 WITNESSES TESTIFYING FOR ONE SIDE ON THAT POINT.

09:24AM 24 YOU HAVE BEEN TOLD THAT CERTAIN WITNESSES WERE

09:24AM 25 CONVICTED OF VARIOUS CRIMES. A CONVICTION IS A FACTOR YOU MAY

JURY INSTRUCTIONS

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09:24AM 1 CONSIDER IN DECIDING WHETHER YOU BELIEVE THAT WITNESS, BUT IT
09:24AM 2 DOES NOT NECESSARILY DESTROY THE WITNESS'S CREDIBILITY. IT
09:24AM 3 HAS BEEN BROUGHT TO YOUR ATTENTION ONLY BECAUSE YOU MAY WISH TO
09:24AM 4 CONSIDER IT WHEN YOU DECIDE WHETHER YOU BELIEVE THE WITNESS'S
09:24AM 5 TESTIMONY. IT IS NOT EVIDENCE OF ANYTHING ELSE.

09:24AM 6 IN THIS CASE, THE GOVERNMENT CALLED SEVERAL
09:24AM 7 WITNESSES WHO WERE ALLEGED ACCOMPLICES, SOME OF WHOM WERE NAMED
09:24AM 8 AS CODEFENDANTS IN THE SECOND SUPERSEDING INDICTMENT AND WITH
09:24AM 9 WHOM THE GOVERNMENT HAS ENTERED INTO PLEA AGREEMENTS PROVIDING
09:24AM 10 FOR THE DISMISSAL OF SOME CHARGES AND/OR A LESSER SENTENCE THAN
09:24AM 11 THE CODEFENDANTS WOULD OTHERWISE BE EXPOSED TO FOR THE OFFENSE
09:24AM 12 TO WHICH THE CODEFENDANTS PLED GUILTY. SUCH PLEA-BARGAINING,
09:24AM 13 AS IT IS CALLED, HAS BEEN APPROVED AS LAWFUL AND PROPER AND
09:24AM 14 IS EXPRESSLY PROVIDED FOR IN THE RULES OF THIS COURT.

09:25AM 15 AN ALLEGED ACCOMPLICE, INCLUDING ONE WHO HAS ENTERED
09:25AM 16 INTO A PLEA AGREEMENT WITH THE GOVERNMENT, IS NOT PROHIBITED
09:25AM 17 FROM TESTIFYING. ON THE CONTRARY, THE TESTIMONY OF SUCH A
09:25AM 18 WITNESS MAY ALONE BE OF SUFFICIENT WEIGHT TO SUSTAIN A VERDICT
09:25AM 19 OF GUILTY. YOU SHOULD KEEP IN MIND THAT SUCH TESTIMONY IS
09:25AM 20 ALWAYS TO BE RECEIVED WITH CAUTION AND WEIGHED WITH GREAT CARE.
09:25AM 21 YOU SHOULD NEVER CONVICT A DEFENDANT UPON THE UNSUPPORTED
09:25AM 22 TESTIMONY OF AN ALLEGED ACCOMPLICE UNLESS YOU BELIEVE THAT
09:25AM 23 TESTIMONY BEYOND A REASONABLE DOUBT. THE FACT THAT AN
09:25AM 24 ACCOMPLICE HAS ENTERED A PLEA OF GUILTY TO THE OFFENSE
09:25AM 25 CHARGED IS NOT EVIDENCE OF THE GUILT OF ANY OTHER PERSON.

JURY INSTRUCTIONS

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09:25AM 1 THE TESTIMONY OF SOMEONE WHO IS SHOWN TO HAVE
09:25AM 2 USED ADDICTIVE DRUGS DURING THE PERIOD OF TIME ABOUT WHICH HE
09:25AM 3 TESTIFIED--ABOUT WHICH THE WITNESS TESTIFIED--MUST ALWAYS BE
09:25AM 4 EXAMINED AND WEIGHED BY THE JURY WITH GREATER CARE AND CAUTION
09:25AM 5 THAN THE TESTIMONY OF ORDINARY WITNESSES.

09:26AM 6 YOU SHOULD NEVER CONVICT ANY DEFENDANT UPON THE
09:26AM 7 UNSUPPORTED TESTIMONY OF SUCH A WITNESS UNLESS YOU BELIEVE
09:26AM 8 THAT TESTIMONY BEYOND A REASONABLE DOUBT.

09:26AM 9 DURING THE TRIAL, YOU HEARD THE TESTIMONY OF MARK
09:26AM 10 MCDONALD, SENIOR FORENSIC CHEMIST WITH THE DRUG ENFORCEMENT
09:26AM 11 ADMINISTRATION; CHARITY FOREMAN, FORENSIC CHEMIST WITH THE DRUG
09:26AM 12 ENFORCEMENT ADMINISTRATION; CLAY PHELAN, FORENSIC CHEMIST WITH
09:26AM 13 THE DRUG ENFORCEMENT ADMINISTRATION; NICHOLAS GRIZZLE, FORENSIC
09:26AM 14 CHEMIST WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY; JENNIFER
09:26AM 15 RUMPE, FORENSIC CHEMIST WITH THE TEXAS DEPARTMENT OF PUBLIC
09:26AM 16 SAFETY; RICHARD DREW FOUT, FORENSIC CHEMIST WITH THE TEXAS
09:26AM 17 DEPARTMENT OF PUBLIC SAFETY; AND GENEVIEVE MEDINA, FORENSIC
09:26AM 18 SCIENTIST WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY, WHO WERE
09:26AM 19 OFFERED AS EXPERT WITNESSES ON THE IDENTIFICATION OF NARCOTICS.
09:26AM 20 IF SCIENTIFIC, TECHNICAL OR OTHER SPECIALIZED KNOWLEDGE MIGHT
09:26AM 21 ASSIST THE JURY IN UNDERSTANDING THE EVIDENCE OR IN DETERMINING
09:26AM 22 A FACT IN ISSUE, A WITNESS QUALIFIED BY KNOWLEDGE, SKILL,
09:26AM 23 EXPERIENCE, TRAINING OR EDUCATION MAY TESTIFY AND STATE AN
09:26AM 24 OPINION CONCERNING SUCH MATTERS.

09:27AM 25 MERELY BECAUSE SUCH A WITNESS HAS EXPRESSED AN

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09:27AM 1 OPINION DOES NOT MEAN, HOWEVER, THAT YOU MUST ACCEPT THIS
09:27AM 2 OPINION. YOU SHOULD JUDGE SUCH TESTIMONY LIKE ANY OTHER
09:27AM 3 TESTIMONY. YOU MAY ACCEPT IT OR REJECT IT, AND GIVE IT AS
09:27AM 4 MUCH WEIGHT AS YOU THINK IT DESERVES CONSIDERING THE WITNESS'S
09:27AM 5 EDUCATION AND EXPERIENCE, THE SOUNDNESS OF THE REASONS GIVEN
09:27AM 6 FOR THE OPINION, AND ALL OTHER EVIDENCE IN THE CASE.

09:27AM 7 YOU WILL NOTE THAT THE SECOND SUPERSEDING INDICTMENT
09:27AM 8 CHARGES THAT THE OFFENSE WAS COMMITTED FROM SOMETIME IN OR
09:27AM 9 ABOUT JANUARY 2008 AND CONTINUOUSLY THEREAFTER UP TO AND
09:27AM 10 INCLUDING APRIL 12TH, 2012. THE GOVERNMENT DOES NOT HAVE TO
09:27AM 11 PROVE THAT THE CRIME WAS COMMITTED ON THOSE EXACT DATES, SO
09:27AM 12 LONG AS THE GOVERNMENT PROVES BEYOND A REASONABLE DOUBT THAT
09:27AM 13 THE DEFENDANTS COMMITTED THE CRIME ON DATES REASONABLY NEAR
09:28AM 14 THE DATES STATED IN THE SECOND SUPERSEDING INDICTMENT.

09:28AM 15 YOU ARE HERE TO DECIDE WHETHER THE GOVERNMENT HAS
09:28AM 16 PROVED BEYOND A REASONABLE DOUBT THAT THE DEFENDANTS ARE GUILTY
09:28AM 17 OF THE CRIME CHARGED. THE DEFENDANTS ARE NOT ON TRIAL FOR ANY
09:28AM 18 ACT, CONDUCT OR OFFENSE NOT ALLEGED IN THE SECOND SUPERSEDING
09:28AM 19 INDICTMENT. NEITHER ARE YOU CONCERNED WITH THE GUILT OF ANY
09:28AM 20 OTHER PERSON OR PERSONS NOT ON TRIAL AS A DEFENDANT IN THIS
09:28AM 21 CASE.

09:28AM 22 IF A DEFENDANT IS FOUND GUILTY, IT WILL BE MY DUTY
09:28AM 23 TO DECIDE WHAT THE PUNISHMENT WILL BE. YOU SHOULD NOT BE
09:28AM 24 CONCERNED WITH PUNISHMENT IN ANY WAY. IT SHOULD NOT ENTER
09:28AM 25 YOUR CONSIDERATION OR DISCUSSION.

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09:28AM 1 THE CASE OF EACH DEFENDANT AND THE EVIDENCE
09:28AM 2 PERTAINING TO THAT DEFENDANT SHOULD BE CONSIDERED SEPARATELY
09:28AM 3 AND INDIVIDUALLY. THE FACT THAT YOU MAY FIND ONE OF THE
09:28AM 4 DEFENDANTS GUILTY OR NOT GUILTY SHOULD NOT CONTROL YOUR VERDICT
09:28AM 5 AS TO ANY OTHER DEFENDANT.

09:28AM 6 IN DETERMINING WHETHER ANY STATEMENT, CLAIMED TO
09:29AM 7 HAVE BEEN MADE BY A DEFENDANT OUTSIDE OF COURT AND AFTER AN
09:29AM 8 ALLEGED CRIME HAS BEEN COMMITTED, WAS KNOWINGLY AND VOLUNTARILY
09:29AM 9 MADE, YOU SHOULD CONSIDER THE EVIDENCE CONCERNING SUCH A
09:29AM 10 STATEMENT WITH CAUTION AND GREAT CARE AND SHOULD GIVE SUCH
09:29AM 11 WEIGHT TO THE STATEMENT AS YOU FEEL IT DESERVES UNDER ALL THE
09:29AM 12 CIRCUMSTANCES.

09:29AM 13 YOU MAY CONSIDER IN THAT REGARD SUCH FACTORS AS THE
09:29AM 14 AGE, SEX, TRAINING, EDUCATION, OCCUPATION, AND PHYSICAL AND
09:29AM 15 MENTAL CONDITION OF THE DEFENDANT, HIS TREATMENT WHILE UNDER
09:29AM 16 INTERROGATION, AND ALL OTHER CIRCUMSTANCES IN EVIDENCE
09:29AM 17 SURROUNDING THE MAKING OF THE STATEMENT.

09:29AM 18 OF COURSE, ANY SUCH STATEMENT SHOULD NOT BE
09:29AM 19 CONSIDERED IN ANY WAY WHATSOEVER AS EVIDENCE WITH RESPECT
09:29AM 20 TO ANY OTHER DEFENDANT ON TRIAL.

09:29AM 21 IN ANY CRIMINAL CASE, THE GOVERNMENT MUST PROVE NOT
09:29AM 22 ONLY THE ESSENTIAL ELEMENTS OF THE OFFENSE OR OFFENSES CHARGED,
09:29AM 23 AS HEREAFTER DEFINED, BUT MUST ALSO PROVE, OF COURSE, THE
09:30AM 24 IDENTITY OF THE DEFENDANT AS THE PERPETRATOR OF THE ALLEGED
09:30AM 25 OFFENSE OR OFFENSES.

09:30AM 1 IN EVALUATING THE IDENTIFICATION TESTIMONY OF
09:30AM 2 A WITNESS, YOU SHOULD CONSIDER ALL OF THE FACTORS ALREADY
09:30AM 3 MENTIONED CONCERNING YOUR ASSESSMENT OF THE CREDIBILITY OF ANY
09:30AM 4 WITNESS IN GENERAL, AND SHOULD ALSO CONSIDER, IN PARTICULAR,
09:30AM 5 WHETHER THE WITNESS HAD AN ADEQUATE OPPORTUNITY TO OBSERVE THE
09:30AM 6 PERSON IN QUESTION AT THE TIME OR TIMES ABOUT WHICH THE WITNESS
09:30AM 7 TESTIFIED. YOU MAY CONSIDER, IN THAT REGARD, SUCH MATTERS AS
09:30AM 8 THE LENGTH OF TIME THE WITNESS HAD TO OBSERVE THE PERSON IN
09:30AM 9 QUESTION, THE PREVAILING CONDITIONS AT THAT TIME IN TERMS OF
09:30AM 10 VISIBILITY OR DISTANCE AND THE LIKE, AND WHETHER THE WITNESS
09:30AM 11 HAD KNOWN OR OBSERVED THE PERSON AT EARLIER TIMES.

09:30AM 12 YOU MAY ALSO CONSIDER THE CIRCUMSTANCES SURROUNDING
09:30AM 13 THE IDENTIFICATION ITSELF, INCLUDING, FOR EXAMPLE, THE MANNER
09:30AM 14 IN WHICH THE DEFENDANT WAS PRESENTED TO THE WITNESS FOR
09:30AM 15 IDENTIFICATION AND THE LENGTH OF TIME THAT HAS ELAPSED BETWEEN
09:31AM 16 THE INCIDENT IN QUESTION AND THE NEXT OPPORTUNITY THE WITNESS
09:31AM 17 HAD TO OBSERVE THE DEFENDANT.

09:31AM 18 IF, AFTER EXAMINING ALL THE TESTIMONY AND EVIDENCE
09:31AM 19 IN THE CASE, YOU HAVE A REASONABLE DOUBT AS TO THE IDENTITY OF
09:31AM 20 A DEFENDANT AS THE PERPETRATOR OF THE OFFENSE CHARGED, YOU MUST
09:31AM 21 FIND THAT DEFENDANT NOT GUILTY.

09:31AM 22 YOU HAVE HEARD EVIDENCE OF ACTS OF DEFENDANT TIMOTHY
09:31AM 23 LEDON BOWEN WHICH MAY BE SIMILAR TO THOSE CHARGED IN THE SECOND
09:31AM 24 SUPERSEDING INDICTMENT BUT WHICH WERE COMMITTED ON OTHER
09:31AM 25 OCCASIONS. YOU MUST NOT CONSIDER ANY OF THIS EVIDENCE IN

1643

09:31AM 1 DECIDING IF DEFENDANT TIMOTHY LEDON BOWEN COMMITTED THE ACTS
09:31AM 2 CHARGED IN THE SECOND SUPERSEDING INDICTMENT. HOWEVER, YOU
09:31AM 3 MAY CONSIDER THIS EVIDENCE FOR OTHER, VERY LIMITED, PURPOSES.

09:31AM 4 IF YOU FIND BEYOND A REASONABLE DOUBT FROM OTHER
09:31AM 5 EVIDENCE IN THIS CASE THAT DEFENDANT TIMOTHY LEDON BOWEN DID
09:31AM 6 COMMIT THE ACTS CHARGED IN THE SECOND SUPERSEDING INDICTMENT,
09:31AM 7 THEN YOU MAY CONSIDER EVIDENCE OF THE SIMILAR ACTS ALLEGEDLY
09:32AM 8 COMMITTED ON OTHER OCCASIONS TO DETERMINE WHETHER DEFENDANT
09:32AM 9 TIMOTHY LEDON BOWEN HAD THE STATE OF MIND OR INTENT NECESSARY
09:32AM 10 TO COMMIT THE CRIME CHARGED IN THE SECOND SUPERSEDING
09:32AM 11 INDICTMENT, OR WHETHER DEFENDANT TIMOTHY LEDON BOWEN HAD A
09:32AM 12 MOTIVE OR THE OPPORTUNITY TO COMMIT THE CRIME--COMMIT THE
09:32AM 13 ACTS CHARGED IN THE SECOND SUPERSEDING INDICTMENT, OR WHETHER
09:32AM 14 DEFENDANT TIMOTHY LEDON BOWEN ACTED ACCORDING TO A PLAN, OR
09:32AM 15 WHETHER DEFENDANT TIMOTHY LEDON BOWEN COMMITTED THE ACTS FOR
09:32AM 16 WHICH HE IS ON TRIAL BY ACCIDENT OR MISTAKE. THESE ARE THE
09:32AM 17 LIMITED PURPOSES FOR WHICH ANY EVIDENCE OF OTHER, SIMILAR ACTS
09:32AM 18 MAY BE CONSIDERED.

09:32AM 19 GOVERNMENT'S EXHIBIT 53 HAS BEEN IDENTIFIED AS A
09:32AM 20 TYPEWRITTEN TRANSCRIPT AND PARTIAL TRANSLATION FROM SPANISH
09:32AM 21 INTO ENGLISH OF THE ORAL CONVERSATION WHICH CAN BE HEARD ON THE
09:32AM 22 TAPE RECORDING RECEIVED INTO EVIDENCE AS GOVERNMENT'S EXHIBIT
09:32AM 23 52. THE TRANSCRIPT ALSO PURPORTS TO IDENTIFY THE SPEAKERS
09:33AM 24 ENGAGED IN SUCH CONVERSATION.

09:33AM 25 I HAVE ADMITTED THE TRANSCRIPT FOR THE LIMITED AND

1644

09:33AM 1 **SECONDARY PURPOSE OF AIDING YOU IN FOLLOWING THE CONTENT OF THE**
09:33AM 2 **CONVERSATION AS YOU LISTEN TO THE TAPE RECORDING, PARTICULARLY**
09:33AM 3 **THOSE PORTIONS SPOKEN IN SPANISH, AND ALSO TO AID YOU IN**
09:33AM 4 **IDENTIFYING THE SPEAKERS.**

09:33AM 5 **YOU ARE SPECIFICALLY INSTRUCTED THAT WHETHER THE**
09:33AM 6 **TRANSCRIPT CORRECTLY OR INCORRECTLY REFLECTS THE CONTENT OF**
09:33AM 7 **THE CONVERSATION OR THE IDENTITY OF THE SPEAKERS IS ENTIRELY**
09:33AM 8 **FOR YOU TO DETERMINE BASED UPON YOUR OWN EVALUATION OF THE**
09:33AM 9 **TESTIMONY YOU HAVE HEARD CONCERNING THE PREPARATION OF THE**
09:33AM 10 **TRANSCRIPT AND FROM YOUR OWN EXAMINATION OF THE TRANSCRIPT**
09:33AM 11 **IN RELATION TO YOUR HEARING OF THE TAPE RECORDING ITSELF AS**
09:33AM 12 **THE PRIMARY EVIDENCE OF ITS OWN CONTENTS; AND IF YOU SHOULD**
09:33AM 13 **DETERMINE THAT THE TRANSCRIPT IS IN ANY RESPECT INCORRECT**
09:33AM 14 **OR UNRELIABLE, YOU SHOULD DISREGARD IT TO THAT EXTENT.**

09:33AM 15 **IN THIS CASE, THE SECOND SUPERSEDING INDICTMENT**
09:33AM 16 **CHARGES DEFENDANTS RENE CORTEZ SALAZAR, TIMOTHY LEDON BOWEN AND**
09:34AM 17 **JUAN CARLOS VEGA WITH ONE OFFENSE ALLEGED IN ONE COUNT. I WILL**
09:34AM 18 **NOT READ THE SECOND SUPERSEDING INDICTMENT TO YOU AT THIS TIME**
09:34AM 19 **BECAUSE I WILL GIVE YOU A COPY TO TAKE WITH YOU TO THE JURY**
09:34AM 20 **ROOM.**

09:34AM 21 **COUNT 1 OF THE SECOND SUPERSEDING INDICTMENT CHARGES**
09:34AM 22 **THAT DEFENDANTS RENE CORTEZ SALAZAR, TIMOTHY LEDON BOWEN AND**
09:34AM 23 **JUAN CARLOS VEGA DID KNOWINGLY AND INTENTIONALLY COMBINE,**
09:34AM 24 **CONSPIRE AND AGREE WITH EACH OTHER AND OTHER PERSONS KNOWN**
09:34AM 25 **AND UNKNOWN TO THE UNITED STATES GRAND JURY TO KNOWINGLY AND**

JURY INSTRUCTIONS

1645

09:34AM 1 **INTENTIONALLY POSSESS WITH THE INTENT TO DISTRIBUTE 500 GRAMS**
09:34AM 2 **OR MORE OF A MIXTURE OR SUBSTANCE CONTAINING A DETECTABLE**
09:34AM 3 **AMOUNT OF METHAMPHETAMINE AND/OR 50 GRAMS OR MORE OF**
09:34AM 4 **METHAMPHETAMINE (ACTUAL), IN VIOLATION OF TITLE 21, UNITED**
09:34AM 5 **STATES CODE, SECTION 841(A)(1), ALL IN VIOLATION OF TITLE 21,**
09:35AM 6 **UNITED STATES CODE, SECTION 846.**

09:35AM 7 **TITLE 21, UNITED STATES CODE, SECTION 846 MAKES IT**
09:35AM 8 **A CRIME FOR ANYONE TO CONSPIRE WITH SOMEONE ELSE TO COMMIT A**
09:35AM 9 **VIOLATION OF CERTAIN CONTROLLED-SUBSTANCES LAWS OF THE UNITED**
09:35AM 10 **STATES.**

09:35AM 11 **FOR YOU TO FIND THE DEFENDANTS GUILTY OF THIS CRIME,**
09:35AM 12 **YOU MUST BE CONVINCED THAT THE GOVERNMENT HAS PROVED EACH OF**
09:35AM 13 **THE FOLLOWING BEYOND A REASONABLE DOUBT:**

09:35AM 14 **FIRST: THAT TWO OR MORE PERSONS, DIRECTLY OR**
09:35AM 15 **INDIRECTLY, REACHED AN AGREEMENT TO KNOWINGLY AND INTENTIONALLY**
09:35AM 16 **POSSESS WITH THE INTENT TO DISTRIBUTE ACTUAL METHAMPHETAMINE**
09:35AM 17 **OR A MIXTURE OR SUBSTANCE CONTAINING A DETECTABLE AMOUNT OF**
09:35AM 18 **METHAMPHETAMINE AS CHARGED IN THE SECOND SUPERSEDING INDICTMENT;**

09:35AM 19 **SECOND: THAT THE DEFENDANTS KNEW OF THE UNLAWFUL**
09:35AM 20 **PURPOSE OF THE AGREEMENT;**

09:35AM 21 **THIRD, THAT THE DEFENDANTS JOINED IN THE AGREEMENT**
09:35AM 22 **WILLFULLY, THAT IS, WITH THE INTENT TO FURTHER ITS UNLAWFUL**
09:35AM 23 **PURPOSE; AND**

09:35AM 24 **FOURTH: THAT THE OVERALL SCOPE OF THE CONSPIRACY**
09:36AM 25 **INVOLVED A QUANTITY OF ACTUAL METHAMPHETAMINE OR A MIXTURE OR**

JURY INSTRUCTIONS

1646

09:36AM 1 SUBSTANCE CONTAINING A DETECTABLE AMOUNT OF METHAMPHETAMINE
09:36AM 2 AS DETERMINED BY THE JURY IN THE VERDICT-OF-THE-JURY FORM.

09:36AM 3 A CONSPIRACY IS AN AGREEMENT BETWEEN TWO OR MORE
09:36AM 4 PERSONS TO JOIN TOGETHER TO ACCOMPLISH SOME UNLAWFUL PURPOSE.
09:36AM 5 IT IS A KIND OF PARTNERSHIP IN CRIME IN WHICH EACH MEMBER
09:36AM 6 BECOMES THE AGENT OF EVERY OTHER MEMBER.

09:36AM 7 ONE MAY BECOME A MEMBER OF A CONSPIRACY WITHOUT
09:36AM 8 KNOWING ALL THE DETAILS OF THE UNLAWFUL SCHEME OR THE
09:36AM 9 IDENTITIES OF ALL THE OTHER ALLEGED CONSPIRATORS. IF A
09:36AM 10 DEFENDANT UNDERSTANDS THE UNLAWFUL NATURE OF A PLAN OR SCHEME
09:36AM 11 AND KNOWINGLY AND INTENTIONALLY JOINS IN THAT PLAN OR SCHEME ON
09:36AM 12 ONE OCCASION, THAT IS SUFFICIENT TO CONVICT HIM FOR CONSPIRACY
09:36AM 13 EVEN THOUGH THE DEFENDANT HAD NOT PARTICIPATED BEFORE AND EVEN
09:36AM 14 THOUGH THE DEFENDANT PLAYED ONLY A MINOR PART.

09:36AM 15 THE GOVERNMENT NEED NOT PROVE THAT THE ALLEGED
09:37AM 16 CONSPIRATORS ENTERED INTO ANY FORMAL AGREEMENT, NOR THAT THEY
09:37AM 17 DIRECTLY STATED BETWEEN THEMSELVES ALL THE DETAILS OF THE
09:37AM 18 SCHEME. ALSO, THE GOVERNMENT NEED NOT PROVE THAT ALL OF
09:37AM 19 THE DETAILS OF THE SCHEME ALLEGED IN THE SECOND SUPERSEDING
09:37AM 20 INDICTMENT WERE ACTUALLY AGREED UPON OR CARRIED OUT. NOR MUST
09:37AM 21 IT PROVE THAT ALL OF THE PERSONS ALLEGED TO HAVE BEEN MEMBERS
09:37AM 22 OF THE CONSPIRACY WERE SUCH OR THAT THE ALLEGED CONSPIRATORS
09:37AM 23 ACTUALLY SUCCEEDED IN ACCOMPLISHING THEIR UNLAWFUL OBJECTIVES.

09:37AM 24 MERE PRESENCE AT THE SCENE OF AN EVENT, EVEN WITH
09:37AM 25 KNOWLEDGE THAT A CRIME IS BEING COMMITTED, OR THE MERE FACT

JURY INSTRUCTIONS

1647

09:37AM 1 THAT CERTAIN PERSONS MAY HAVE ASSOCIATED WITH EACH OTHER AND
09:37AM 2 MAY HAVE ASSEMBLED TOGETHER AND DISCUSSED COMMON AIMS AND
09:37AM 3 INTERESTS DOES NOT NECESSARILY ESTABLISH PROOF OF THE EXISTENCE
09:37AM 4 OF A CONSPIRACY. ALSO, A PERSON WHO HAS NO KNOWLEDGE OF A
09:37AM 5 CONSPIRACY, BUT WHO HAPPENS TO ACT IN A WAY WHICH ADVANCES SOME
09:37AM 6 PURPOSE OF A CONSPIRACY, DOES NOT THEREBY BECOME A CONSPIRATOR.

09:37AM 7 THE WORD "KNOWINGLY," AS THAT TERM HAS BEEN USED
09:38AM 8 FROM TIME TO TIME IN THESE INSTRUCTIONS, MEANS THAT THE ACT WAS
09:38AM 9 DONE VOLUNTARILY AND INTENTIONALLY AND NOT BECAUSE OF MISTAKE
09:38AM 10 OR ACCIDENT.

09:38AM 11 "POSSESSION," AS THAT TERM IS USED IN THIS CASE,
09:38AM 12 MAY BE OF TWO KINDS: ACTUAL POSSESSION AND CONSTRUCTIVE
09:38AM 13 POSSESSION. A PERSON WHO KNOWINGLY HAS DIRECT PHYSICAL CONTROL
09:38AM 14 OVER A THING, AT A GIVEN TIME, IS THEN IN ACTUAL POSSESSION OF
09:38AM 15 IT.

09:38AM 16 A PERSON WHO, ALTHOUGH NOT IN ACTUAL POSSESSION,
09:38AM 17 KNOWINGLY HAS BOTH THE POWER AND THE INTENTION, AT A GIVEN
09:38AM 18 TIME, TO EXERCISE DOMINION OR CONTROL OVER A THING, EITHER
09:38AM 19 DIRECTLY OR THROUGH ANOTHER PERSON OR PERSONS, IS THEN IN
09:38AM 20 CONSTRUCTIVE POSSESSION OF IT.

09:38AM 21 POSSESSION MAY BE SOLE OR JOINT. IF ONE PERSON
09:38AM 22 ALONE HAS ACTUAL OR CONSTRUCTIVE POSSESSION OF A THING,
09:38AM 23 POSSESSION IS SOLE. IF TWO OR MORE PERSONS SHARE ACTUAL
09:38AM 24 OR CONSTRUCTIVE POSSESSION OF A THING, POSSESSION IS JOINT.

09:38AM 25 YOU MAY FIND THAT THE ELEMENT OF "POSSESSION," AS

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09:39AM 1 **THAT TERM IS USED IN THESE INSTRUCTIONS, IS PRESENT IF YOU**
09:39AM 2 **FIND BEYOND A REASONABLE DOUBT THAT A DEFENDANT HAD ACTUAL OR**
09:39AM 3 **CONSTRUCTIVE POSSESSION, EITHER ALONE OR JOINTLY WITH OTHERS.**

09:39AM 4 **TO "POSSESS WITH INTENT TO DISTRIBUTE" SIMPLY MEANS**
09:39AM 5 **TO POSSESS WITH INTENT TO DELIVER OR TRANSFER POSSESSION OF A**
09:39AM 6 **CONTROLLED SUBSTANCE TO ANOTHER PERSON, WITH OR WITHOUT ANY**
09:39AM 7 **FINANCIAL INTEREST IN THE TRANSACTION.**

09:39AM 8 **TO REACH A VERDICT, WHETHER IT IS "GUILTY" OR "NOT**
09:39AM 9 **GUILTY," ALL OF YOU MUST AGREE. YOUR VERDICT MUST BE UNANIMOUS.**
09:39AM 10 **YOUR DELIBERATIONS WILL BE SECRET. YOU WILL NEVER HAVE TO**
09:39AM 11 **EXPLAIN YOUR VERDICT TO ANYONE.**

09:39AM 12 **IT IS YOUR DUTY TO CONSULT WITH ONE ANOTHER AND TO**
09:39AM 13 **DELIBERATE IN AN EFFORT TO REACH AGREEMENT IF YOU CAN DO SO.**
09:39AM 14 **EACH OF YOU MUST DECIDE THE CASE FOR YOURSELF, BUT ONLY AFTER**
09:39AM 15 **AN IMPARTIAL CONSIDERATION OF THE EVIDENCE WITH YOUR FELLOW**
09:39AM 16 **JURORS. DURING YOUR DELIBERATIONS, DO NOT HESITATE TO**
09:39AM 17 **RE-EXAMINE YOUR OWN OPINIONS AND CHANGE YOUR MIND IF CONVINCED**
09:40AM 18 **THAT YOU WERE WRONG. BUT DO NOT GIVE UP YOUR HONEST BELIEFS**
09:40AM 19 **AS TO THE WEIGHT OR EFFECT OF THE EVIDENCE SOLELY BECAUSE OF**
09:40AM 20 **THE OPINION OF YOUR FELLOW JURORS OR FOR THE MERE PURPOSE OF**
09:40AM 21 **RETURNING A VERDICT.**

09:40AM 22 **REMEMBER AT ALL TIMES, YOU ARE JUDGES--JUDGES OF**
09:40AM 23 **THE FACTS. YOUR DUTY IS TO DECIDE WHETHER THE GOVERNMENT**
09:40AM 24 **HAS PROVED THE DEFENDANTS GUILTY BEYOND A REASONABLE DOUBT.**
09:40AM 25 **WHEN YOU GO TO THE JURY ROOM, THE FIRST THING THAT**

JURY INSTRUCTIONS

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09:40AM 1 YOU SHOULD DO IS SELECT ONE OF YOUR NUMBER AS YOUR FOREPERSON,
09:40AM 2 WHO WILL HELP TO GUIDE YOUR DELIBERATIONS AND WILL SPEAK FOR
09:40AM 3 YOU HERE IN THE COURTROOM.

09:40AM 4 A FORM OF VERDICT HAS BEEN PREPARED FOR YOUR
09:40AM 5 CONVENIENCE.

09:40AM 6 THE FOREPERSON WILL WRITE THE UNANIMOUS ANSWER
09:40AM 7 OF THE JURY IN THE SPACE PROVIDED, EITHER "GUILTY" OR "NOT
09:40AM 8 GUILTY." AT THE CONCLUSION OF YOUR DELIBERATIONS, THE FOREMAN
09:40AM 9 SHOULD DATE AND SIGN THE VERDICT.

09:40AM 10 IF YOU NEED TO COMMUNICATE WITH ME DURING YOUR
09:40AM 11 DELIBERATIONS, THE FOREPERSON SHOULD WRITE THE MESSAGE AND
09:40AM 12 GIVE IT TO THE COURT SECURITY OFFICER. I WILL EITHER REPLY
09:41AM 13 IN WRITING OR BRING YOU BACK INTO THE COURT TO ANSWER YOUR
09:41AM 14 MESSAGE.

09:41AM 15 IF AND WHEN YOU COMMUNICATE WITH THE COURT DURING
09:41AM 16 YOUR DELIBERATIONS, YOU ARE NEVER TO REVEAL TO ANY PERSON,
09:41AM 17 NOT EVEN TO THE COURT, HOW THE JURY STANDS, NUMERICALLY OR
09:41AM 18 OTHERWISE, UNTIL AFTER YOU HAVE REACHED A UNANIMOUS VERDICT.

09:41AM 19 NOW, LADIES AND GENTLEMEN, THE NEXT FOUR PAGES ARE
09:41AM 20 THE VERDICT FORM. AND WHOEVER YOU ELECT AS YOUR PRESIDING
09:41AM 21 JUROR WILL DATE AND SIGN THE VERDICT FORM AND FILL IN YOUR
09:41AM 22 ANSWERS TO THE QUESTIONS.

09:41AM 23 SO THE VERDICT FORM READS: "WE, THE JURY, FIND AS
09:41AM 24 FOLLOWS:"

09:41AM 25 AND I'LL READ THE FIRST ONE, WITH RESPECT TO RENE

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09:41AM 1 CORTEZ SALAZAR.

09:41AM 2 "AS TO COUNT 1 OF THE SECOND SUPERSEDING INDICTMENT,
09:41AM 3 WE, THE JURY, FIND RENE CORTEZ SALAZAR" EITHER "GUILTY" OR "NOT
09:41AM 4 GUILTY."

09:41AM 5 "IF YOU HAVE FOUND DEFENDANT RENE CORTEZ SALAZAR
09:41AM 6 GUILTY OF THE SECOND SUPERSEDING INDICTMENT, THEN YOU MUST
09:42AM 7 CONSIDER THE FOLLOWING QUESTION. YOU MUST DETERMINE THE
09:42AM 8 QUANTITY RANGE OF METHAMPHETAMINE INVOLVED IN THE CONSPIRACY.
09:42AM 9 INDICATE BELOW YOUR UNANIMOUS FINDING BEYOND A REASONABLE
09:42AM 10 DOUBT OF THE QUANTITY RANGE OF THE METHAMPHETAMINE, IF ANY,
09:42AM 11 APPLICABLE TO THE OVERALL SCOPE OF THE CONSPIRACY OF WHICH YOU
09:42AM 12 HAVE FOUND THE DEFENDANT TO BE A MEMBER AND DURING THE TIME HE
09:42AM 13 WAS A MEMBER. A QUANTITY OF METHAMPHETAMINE MAY ONLY BE
09:42AM 14 ATTRIBUTED TO THE DEFENDANT IF THAT QUANTITY WAS WITHIN THE
09:42AM 15 SCOPE OF THE CONSPIRACY AFTER THE DEFENDANT'S ENTRY INTO THE
09:42AM 16 CONSPIRACY."

09:42AM 17 SO, IF YOU FOUND THE DEFENDANT RENE CORTEZ SALAZAR
09:42AM 18 GUILTY OF COUNT 1 OF THE SECOND SUPERSEDING INDICTMENT, YOU
09:42AM 19 MUST ANSWER THE FOLLOWING: PLEASE INDICATE YOUR FINDING OF THE
09:42AM 20 QUANTITY INVOLVED IN THE CONSPIRACY. THERE ARE THREE CHOICES.

09:42AM 21 "500 GRAMS OR MORE OF A MIXTURE OR SUBSTANCE
09:42AM 22 CONTAINING A DETECTABLE AMOUNT OF METHAMPHETAMINE OR 50 GRAMS
09:42AM 23 OR MORE OF ACTUAL METHAMPHETAMINE."

09:43AM 24 THE NEXT CHOICE IS "50 GRAMS OR MORE OF A MIXTURE
09:43AM 25 OR SUBSTANCE CONTAINING A DETECTABLE AMOUNT OF METHAMPHETAMINE

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09:43AM 1 OR FIVE GRAMS OR MORE OF ACTUAL METHAMPHETAMINE."

09:43AM 2 AND FINALLY, "LESS THAN 50 GRAMS OF A MIXTURE OR

09:43AM 3 SUBSTANCE CONTAINING A DETECTABLE AMOUNT OF METHAMPHETAMINE

09:43AM 4 OR LESS THAN FIVE GRAMS OR MORE OF"--LET'S SEE.

09:43AM 5 COUNSEL, I THINK THE "OR MORE" SHOULD COME OUT.

09:43AM 6 DO YOU AGREE?

09:43AM 7 MR. GONZALEZ: YES, YOUR HONOR.

09:43AM 8 MR. WHALEN: YES, YOUR HONOR.

09:43AM 9 THE COURT: OKAY.

09:43AM 10 LADIES AND GENTLEMEN, IN THAT THIRD CHOICE, IT

09:43AM 11 SHOULD READ "OR LESS THAN FIVE GRAMS OF ACTUAL METHAMPHETAMINE."

09:43AM 12 JUST STRIKE THE "OR MORE" THERE.

09:43AM 13 OKAY. AND THE SAME FOR TIMOTHY LEDON BOWEN AND JUAN

09:43AM 14 CARLOS VEGA. IF YOU SHOULD FIND THEM GUILTY, THEN YOU WILL

09:44AM 15 NEED TO ANSWER THE DRUG QUANTITY THAT'S ATTRIBUTABLE TO THEM.

09:44AM 16 AND THE THIRD CHOICE, SHOULD YOU CHOOSE THAT, WOULD

09:44AM 17 INCLUDE THE OPTION OF "LESS THAN FIVE GRAMS OF ACTUAL

09:44AM 18 METHAMPHETAMINE."

09:44AM 19 OKAY, LADIES AND GENTLEMEN. WE'LL GO NOW TO FINAL

09:44AM 20 ARGUMENTS.

09:44AM 21 MS. BATSON FOR THE GOVERNMENT.

09:44AM 22

09:44AM 23

09:44AM 24 CLOSING STATEMENT ON BEHALF OF THE GOVERNMENT

09:44AM 25 MS. BATSON: MAY IT PLEASE THE COURT.

09:44AM 1 COUNSEL.

09:44AM 2 GOOD MORNING, LADIES AND GENTLEMEN OF THE JURY.

09:44AM 3 BEFORE I BEGIN, I, ALONG WITH THE OTHER MEMBERS OF

09:44AM 4 THE PROSECUTION TEAM, WOULD LIKE TO THANK YOU FOR THE TIME AND

09:44AM 5 ATTENTION THAT YOU HAVE GIVEN THIS CASE. IT'S BECAUSE OF YOUR

09:44AM 6 SERVICE AS JURORS THAT THE WHEELS OF JUSTICE CONTINUE TO TURN.

09:44AM 7 AND WE APPRECIATE THAT SERVICE.

09:44AM 8 NOW, AS YOU KNOW, THE DEFENDANTS IN THIS CASE--RENE

09:45AM 9 SALAZAR, TIMOTHY BOWEN AND JUAN CARLOS VEGA--ARE CHARGED WITH

09:45AM 10 CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE MORE THAN 500

09:45AM 11 GRAMS OF A MIXTURE OF METHAMPHETAMINE OR MORE THAN 50 GRAMS OF

09:45AM 12 ACTUAL METHAMPHETAMINE. AND THAT'S THE ICE METHAMPHETAMINE YOU

09:45AM 13 HEARD WAS MORE THAN 80 PERCENT PURE.

09:45AM 14 NOW, I SUBMIT TO YOU THAT THE GOVERNMENT HAS PROVEN

09:45AM 15 THIS CASE TO YOU BEYOND A REASONABLE DOUBT. AND HOW DID WE

09:45AM 16 DO THAT? WELL, WE DID IT THROUGH THE PRESENTATION OF PHYSICAL

09:45AM 17 EVIDENCE AND THE TESTIMONY OF THE WITNESSES. AND THROUGH

09:45AM 18 THE TESTIMONY OF THE WITNESSES YOU FOUND OUT THAT IN THIS

09:45AM 19 PARTICULAR CONSPIRACY THERE WERE TWO SOURCES OF SUPPLY WHO

09:45AM 20 WERE RESPONSIBLE FOR THE DISTRIBUTION OF THE METHAMPHETAMINE

09:45AM 21 IN THE SHERMAN-DENISON AREA.

09:45AM 22 YOU HEARD THAT ANDY NGUYEN WAS ONE OF THE SOURCES OF

09:45AM 23 SUPPLY. AND HIS SOURCE OF SUPPLY WAS PRIMO, WHO IS IN MEXICO.

09:45AM 24 AND IT WAS THROUGH PRIMO THAT--WHO DISTRIBUTED DRUGS TO RAMIRO

09:46AM 25 CAZARES AND THE DEFENDANT JUAN CARLOS VEGA, BECAUSE THEY WERE

09:46AM 1 OVER HERE IN THE UNITED STATES. AND THEY WERE RESPONSIBLE
09:46AM 2 FOR DISTRIBUTING THE METHAMPHETAMINE TO ANDY NGUYEN AND HIS
09:46AM 3 ORGANIZATION.

09:46AM 4 AND THEN YOU HEARD ANDY NGUYEN'S RUNNERS WERE
09:46AM 5 RESPONSIBLE FOR DELIVERING THE METHAMPHETAMINE TO MANUEL
09:46AM 6 CAMACHO, WHO USED HIS SISTER AS A DRIVER TO DELIVER IT.
09:46AM 7 AND HE AND HIS SISTER DELIVERED IT TO RENE SALAZAR, WHO
09:46AM 8 WAS IDENTIFIED AS CHUCKY.

09:46AM 9 AND THEN YOU ALSO HEARD THAT MANUEL CAMACHO AND
09:46AM 10 HIS SISTER ALSO DELIVERED TO CHARLIE--WELL, ACTUALLY, TO RENE
09:46AM 11 SALAZAR AND HIS PARTNER, KENNETH HOUSE. BUT WHEN RENE SALAZAR
09:46AM 12 AND KENNETH HOUSE WERE LOCKED UP, MANUEL CAMACHO AND HIS SISTER
09:46AM 13 WOULD DELIVER TO CHARLIE. AND THEN YOU HEARD THAT WHEN CHARLIE
09:46AM 14 STARTED MESSING UP THAT THEY WOULD DELIVER TO ANDREA REEVES,
09:46AM 15 AND THEN THE WEB OF DISTRIBUTION CONTINUES.

09:46AM 16 AND THEN YOU ALSO HEARD THAT THE OTHER SOURCE
09:46AM 17 OF SUPPLY THAT WAS RESPONSIBLE FOR THE DISTRIBUTION OF THE
09:46AM 18 METHAMPHETAMINE TO SHERMAN WAS FERNANDO PERALES, WHO IS ALSO
09:47AM 19 KNOWN AS DOGG. AND HIS SOURCE OF SUPPLY WAS PELON. PELON
09:47AM 20 WOULD DELIVER THE METHAMPHETAMINE TO FERNANDO PERALES, WHO
09:47AM 21 WOULD THEN ALSO USE A RUNNER AND DELIVER TO RENE SALAZAR AND
09:47AM 22 HIS PARTNER, KENNETH HOUSE.

09:47AM 23 AGAIN, WHEN RENE SALAZAR AND KENNETH HOUSE WERE
09:47AM 24 LOCKED UP, THEN PERALES STARTED DELIVERING TO KISHA BOWEN AND
09:47AM 25 CHRISTINA HOUSE. AND IT WAS THROUGH THAT RELATIONSHIP WITH

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09:47AM 1 CHRISTINA HOUSE AND KISHA BOWEN THAT TIMOTHY BOWEN MET DOGG--
09:47AM 2 FERNANDO PERALES--AND STARTED OBTAINING METHAMPHETAMINE FROM
09:47AM 3 HIM AND TRAVELING WITH TREY TIBBS AS WELL TO OBTAIN THE
09:47AM 4 METHAMPHETAMINE FROM DOGG. SO THAT, LADIES AND GENTLEMEN,
09:47AM 5 IS HOW THIS CONSPIRACY WORKED.

09:47AM 6 AND WE PRESENTED THE TESTIMONY OF ANDY NGUYEN, ONE
09:47AM 7 OF THE SOURCES OF SUPPLY. AND WHAT DID HE TELL YOU? HE TOLD
09:47AM 8 YOU STRAIGHT-OUT THAT HE SOLD DRUGS FOR A LIVING, AND THAT
09:47AM 9 PRIMO WAS HIS INITIAL SOURCE OF SUPPLY, AND THAT PRIMO SENT THE
09:48AM 10 METHAMPHETAMINE FROM MEXICO, AND THAT MANUEL URBINA, AUGUSTINE
09:48AM 11 RODRIGUEZ AND MICHAEL HOANG WORKED FOR HIM, DELIVERING THE
09:48AM 12 METHAMPHETAMINE AND PICKING UP THE MONEY. HE KEPT THE PROCEEDS
09:48AM 13 AT HIS HOUSE, BUT HE DIDN'T KEEP DRUGS AT HIS HOUSE, BECAUSE
09:48AM 14 HE HAD A SEPARATE STASH LOCATION FOR HIS DRUGS. YOU HEARD THAT
09:48AM 15 HE LIVED IN AN APARTMENT RIGHT ACROSS THE STREET, I BELIEVE,
09:48AM 16 FROM NORTHPARK MALL.

09:48AM 17 ANDY NGUYEN ALSO TOLD YOU THAT THE METHAMPHETAMINE
09:48AM 18 HE WAS RECEIVING THAT CAME FROM PRIMO WAS DELIVERED BY ONE OF
09:48AM 19 PRIMO'S RUNNERS IN A SILVER TRUCK. AND THE SILVER TRUCK WAS
09:48AM 20 USED BY RAMIRO CAZARES. AND YOU HEARD AGENT MATA TELL YOU THAT
09:48AM 21 THROUGH HIS TESTIMONY. RAMIRO CAZARES AND THE DEFENDANT JUAN
09:48AM 22 CARLOS VEGA WOULD DELIVER THE METHAMPHETAMINE THAT CAME FROM
09:48AM 23 PRIMO, AND THAT METHAMPHETAMINE ENDED UP WITH MANUEL CAMACHO,
09:48AM 24 WHO WAS MIKE, IDENTIFIED TO YOU AS MIKE, AND HE WAS A CUSTOMER
09:48AM 25 OF ANDY NGUYEN. YOU HEARD THAT MIKE INITIALLY STARTED OUT

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09:49AM 1 BUYING ONE OUNCE OF METHAMPHETAMINE AND INCREASED TO ONE POUND
09:49AM 2 OF METHAMPHETAMINE AND THAT HE USED HIS SISTER PRISCILLA TO
09:49AM 3 HELP HIM DISTRIBUTE. AND, ALSO, YOU HEARD THAT SHE WAS TAKING
09:49AM 4 THIS METHAMPHETAMINE TO SHERMAN FOR MANUEL CAMACHO.

09:49AM 5 AND ANDY NGUYEN TOLD YOU THAT HE, ALONG WITH HIS
09:49AM 6 WORKERS, DELIVERED THE METHAMPHETAMINE TO BOTH MIKE AND
09:49AM 7 PRISCILLA. HE IDENTIFIED THE DEFENDANT RENE SALAZAR. HE
09:49AM 8 KNEW HIM BECAUSE SALAZAR GOT HIS METHAMPHETAMINE FROM MANUEL
09:49AM 9 CAMACHO, WHO WAS ANDY NGUYEN'S CUSTOMER. ONE OF THEM. HE SAID
09:49AM 10 THAT--ANDY NGUYEN SAID THAT SALAZAR SAID THAT MANUEL CAMACHO
09:49AM 11 WOULD DRIVE THE METHAMPHETAMINE TO SHERMAN. HE ACTUALLY TOLD
09:49AM 12 ANDY NGUYEN THAT. AND SALAZAR WAS WITH MANUEL CAMACHO ONE
09:49AM 13 TIME WHEN THEY WENT TO PICK UP THE METHAMPHETAMINE FROM ANDY
09:49AM 14 NGUYEN'S HOUSE, AND THAT ONE OF ANDY NGUYEN'S DRIVERS, MANUEL
09:49AM 15 URBINA, BROUGHT THE DRUGS OVER TO ANDY'S HOUSE FOR CAMACHO AND
09:49AM 16 SALAZAR WHEN THEY PICKED IT UP ON THAT OCCASION.

09:50AM 17 ANDY NGUYEN TOLD YOU THAT HE OWNED A BLACK HONDA
09:50AM 18 AND HE PUT THE TRAP, A HIDDEN COMPARTMENT, INSIDE OF THAT BLACK
09:50AM 19 HONDA ACCORD. AND HE SAID THAT PRIMO HAD CALLED HIM AND SAID
09:50AM 20 HE NEEDED A CAR SO HE COULD GIVE IT TO HIS WORKERS, AND HE SAID
09:50AM 21 THAT HE WANTED THAT BLACK HONDA BECAUSE IT ALREADY HAD THE TRAP
09:50AM 22 INSIDE. YOU HEARD THAT THE HONDA ACCORD WAS REGISTERED TO ANDY
09:50AM 23 NGUYEN'S SISTER-IN-LAW AND WAS SUBSEQUENTLY TRANSFERRED INTO
09:50AM 24 THE NAME OF RENE SALAZAR, BUT IT WAS AT THAT TIME REGISTERED
09:50AM 25 TO ANDY NGUYEN'S SISTER-IN-LAW.

1656

09:50AM 1 YOU HEARD THAT ANDY NGUYEN'S DRIVER DELIVERED TO A
09:50AM 2 GUY WITH A SILVER TRUCK, WHO WAS IDENTIFIED AS RAMIRO CAZARES.
09:50AM 3 AND RAMIRO CAZARES, AGAIN, IS ONE OF PRIMO'S RUNNERS. IT WAS
09:50AM 4 PRIMO WHO GAVE RAMIRO CAZARES THE BLACK HONDA THROUGH THE
09:50AM 5 INSTRUCTIONS TO ANDY NGUYEN. AND YOU HEARD THROUGH ANDY NGUYEN
09:50AM 6 THAT THE TOTAL DELIVERED--THAT HE DELIVERED TO MANUEL CAMACHO
09:50AM 7 FROM ABOUT 2010 TO 2011 WAS 20 TO 30 KILOGRAMS OF
09:51AM 8 METHAMPHETAMINE.

09:51AM 9 THEN YOU HEARD FROM MANUEL URBINA, AGAIN, ONE
09:51AM 10 OF ANDY NGUYEN'S RUNNERS. HE SAID THAT HE DELIVERED
09:51AM 11 METHAMPHETAMINE AND PICKED UP MONEY FOR ANDY NGUYEN; THAT
09:51AM 12 MICHAEL HOANG, WHO ALSO TESTIFIED BEFORE YOU, WAS ALSO
09:51AM 13 DELIVERING AND PICKING UP MONEY FOR ANDY NGUYEN. AND DURING
09:51AM 14 HIS INVOLVEMENT IN THIS CONSPIRACY, MANUEL URBINA STARTED
09:51AM 15 COOKING THE METHAMPHETAMINE. AND HE TOLD YOU THAT ONCE
09:51AM 16 THE METHAMPHETAMINE WAS CRYSTALIZED, HE WOULD PACKAGE THE
09:51AM 17 METHAMPHETAMINE AND FILL THE ORDERS THAT WERE COMING IN FROM
09:51AM 18 THE CUSTOMERS. AND HE TOLD YOU HE KNEW PRIMO WAS THE SOURCE
09:51AM 19 OF SUPPLY FOR THE LARGE QUANTITIES, AND HE KNEW THAT MANUEL
09:51AM 20 CAMACHO WAS KNOWN AS MIKE AND THAT MIKE WAS ONE OF THEIR
09:51AM 21 CUSTOMERS.

09:51AM 22 HE SAID THAT HE DELIVERED APPROXIMATELY EIGHT
09:51AM 23 OUNCES EVERY TWO DAYS TO MIKE, AND HE KNEW THAT MIKE'S
09:51AM 24 SISTER PRISCILLA HELPED MIKE DELIVER, AND HE DISTRIBUTED THE
09:51AM 25 METHAMPHETAMINE AND HE ACTUALLY DELIVERED METHAMPHETAMINE TO

1657

09:51AM 1 HER AS WELL. HE KNEW MANUEL WAS DELIVERING THE METHAMPHETAMINE
09:52AM 2 TO SHERMAN BECAUSE HE SAID HE WAS TAKING IT UP NORTH. AND
09:52AM 3 HE SAW MANUEL AND THE DEFENDANT RENE SALAZAR PICKING UP THE
09:52AM 4 METHAMPHETAMINE. HE, TOO, IDENTIFIED DEFENDANT SALAZAR. HE
09:52AM 5 TOLD MANUEL URBINA THAT HE DELIVERED SIX TO EIGHT OUNCES OF
09:52AM 6 METHAMPHETAMINE TWICE TO BOTH MIKE AND DEFENDANT SALAZAR.

09:52AM 7 AND THEN WHEN MIKE WENT TO JAIL, MANUEL URBINA
09:52AM 8 DEALT DIRECTLY WITH PRISCILLA, BUT, OF COURSE, IT WAS IN LESSER
09:52AM 9 AMOUNTS.

09:52AM 10 HE ALSO TOLD YOU THAT HE DELIVERED BETWEEN--AT LEAST
09:52AM 11 20 KILOGRAMS OF METHAMPHETAMINE TO BOTH MANUEL AND PRISCILLA
09:52AM 12 CAMACHO. AND HE SAID THAT BOTH HE AND HOANG WERE INTRODUCED TO
09:52AM 13 RAMIRO CAZARES, AND THAT HE'S THE ONE WHO DROPPED OFF THE HONDA
09:52AM 14 AND GAVE IT TO RAMIRO CAZARES, AND THAT RAMIRO CAZARES HAD THE
09:52AM 15 SILVER TRUCK. AND HE'S THE ONE WHO SHOWED RAMIRO CAZARES HOW
09:52AM 16 TO OPEN THE TRAP THAT ANDY NGUYEN HAD PUT IN THE HONDA.

09:53AM 17 AND THEN MR. HOANG TESTIFIED BEFORE YOU AND HE TOLD
09:53AM 18 YOU THAT HE WAS ANDY NGUYEN'S COUSIN AND HE STARTED DEALING
09:53AM 19 METHAMPHETAMINE IN NOVEMBER OF 2011. HE TOLD YOU THAT ANDY
09:53AM 20 LIVED IN AN APARTMENT NEAR NORTHPARK MALL, AND THAT HE WORKED
09:53AM 21 FOR ANDY DELIVERING METHAMPHETAMINE AND COLLECTING MONEY. HE
09:53AM 22 ALSO KNEW THAT PRIMO WAS ANDY'S SOURCE OF SUPPLY, PRIMO LIVED
09:53AM 23 IN MEXICO, AND THAT PRIMO WAS DELIVERING THE METHAMPHETAMINE
09:53AM 24 TO CAZARES, WHO WAS THE DRIVER OF THE SILVER TRUCK. HE, TOO,
09:53AM 25 STARTED COOKING METHAMPHETAMINE DURING HIS TIME WITH THE

1658

09:53AM 1 CONSPIRACY, AND HE WOULD DUMP THE METHAMPHETAMINE INTO THE
09:53AM 2 COOLERS, WAITING FOR IT TO CRYSTALLIZE, AND THEN GET IT READY
09:53AM 3 FOR DISTRIBUTION. HE KNEW, ALSO, THAT MANUEL CAMACHO WAS KNOWN
09:53AM 4 AS MIKE AND THAT HE WAS ONE OF ANDY'S CUSTOMERS. HE TOLD YOU
09:53AM 5 THAT AUGUSTINE RODRIGUEZ AND MANUEL URBINA WORKED FOR CAMACHO
09:53AM 6 IN THE SAME CAPACITY THAT HE DID, DELIVERING METHAMPHETAMINE
09:53AM 7 AND PICKING UP MONEY. HE HAD ACCESS TO NGUYEN'S APARTMENT,
09:54AM 8 AND HE DELIVERED METHAMPHETAMINE TO PRISCILLA CAMACHO AT LEAST
09:54AM 9 TWICE A WEEK. AND HE TOLD LAW ENFORCEMENT WHERE THERE WAS
09:54AM 10 METHAMPHETAMINE LOCATED IN A PARK THAT WAS NEAR NORTHPARK
09:54AM 11 MALL. AND WE SHOWED YOU A PHOTOGRAPH OF THE RECOVERY OF THAT
09:54AM 12 METHAMPHETAMINE.

09:54AM 13 THEN YOU HEARD FROM MIKE CAMACHO. HE TOLD YOU THAT
09:54AM 14 HE KNEW ANDY NGUYEN AND THAT IN 2010 ANDY NGUYEN HAD APPROACHED
09:54AM 15 HIM AND ASKED HIM TO GET RID OF THE ICE METHAMPHETAMINE. HE
09:54AM 16 SAID THEN DEFENDANT SALAZAR APPROACHED HIM ON THE OTHER END
09:54AM 17 AND ASKED HIM IF HE KNEW ANYONE FROM WHOM HE COULD GET
09:54AM 18 METHAMPHETAMINE. SO MIKE CAMACHO MET WITH ANDY AT A
09:54AM 19 RESTAURANT, OBTAINED THE METHAMPHETAMINE, AND INITIALLY HE SOLD
09:54AM 20 DEFENDANT SALAZAR ONE OUNCE OF METHAMPHETAMINE THE FIRST TIME.
09:54AM 21 HE TOLD YOU THAT HE WAS PAYING \$900 TO ANDY FOR HIS OUNCE OF
09:54AM 22 METHAMPHETAMINE, BUT HE RESOLD IT TO DEFENDANT SALAZAR FOR
09:54AM 23 \$1,050. HE AGAIN TOLD YOU THE SECOND TIME HE SOLD ONE OUNCE
09:54AM 24 OF METHAMPHETAMINE TO DEFENDANT SALAZAR.

09:55AM 25 HE KNEW SALAZAR WAS SELLING THE METHAMPHETAMINE TO

1659

09:55AM 1 SHERMAN. AS HE WAS DEALING WITH DEFENDANT SALAZAR, THE AMOUNTS
09:55AM 2 INCREASED TO TWO OUNCES, AND HE TOLD YOU THAT HE WAS MEETING
09:55AM 3 DEFENDANT SALAZAR ONE TO TWO TIMES PER WEEK, DELIVERING TWO
09:55AM 4 OUNCES INITIALLY, AND THEN HE SAID IT WAS ABOUT A TOTAL OF ONE
09:55AM 5 POUND INITIALLY AND THE AMOUNTS INCREASED. HE SAID HE WOULD
09:55AM 6 MEET WITH SALAZAR IN VAN ALSTYNE AND DENISON. AND, AGAIN, THE
09:55AM 7 AMOUNTS INCREASED FROM A QUARTER-POUND, WHICH IS ABOUT FOUR
09:55AM 8 OUNCES, WHICH IS EQUAL TO 112 GRAMS. HE SAID, OF COURSE, IT
09:55AM 9 INCREASED TO THE POUND OR MORE THAT MIKE CAMACHO WAS DELIVERING
09:55AM 10 TO DEFENDANT SALAZAR. HE SAID ALSO THEY WOULD MEET AT A TACO
09:55AM 11 BELL OR A GAS STATION IN DENISON TO CONDUCT THESE TRANSACTIONS.

09:55AM 12 MANUEL CAMACHO TOLD YOU THAT HIS SISTER HELPED
09:55AM 13 HIM TRANSPORT THE METHAMPHETAMINE TO SHERMAN, BUT WHEN SHE
09:56AM 14 TRANSPORTED THE METHAMPHETAMINE, HE WAS THE ONE TO COLLECT THE
09:56AM 15 MONEY FROM CUSTOMERS. HE KNEW THAT SALAZAR HAD MOVED INTO A
09:56AM 16 HOUSE ON DAY STREET, AND HE STARTED DELIVERING TO HIM AT THAT
09:56AM 17 HOUSE TWO TO THREE TIMES A WEEK.

09:56AM 18 HE SAW ANDREA REEVES. HE KNEW SHE WAS SALAZAR'S
09:56AM 19 GIRLFRIEND. AND HE SOLD HER METHAMPHETAMINE.

09:56AM 20 HE KNEW CHARLES QUIROLO WAS THE DEFENDANT SALAZAR'S
09:56AM 21 NEIGHBOR, AND HE SOLD TO CHARLIE ONCE BEFORE SALAZAR WENT TO
09:56AM 22 JAIL. AND AFTER SALAZAR WENT TO JAIL, HE SOLD TO CHARLIE FOUR
09:56AM 23 OUNCES WEEKLY FOR ABOUT TWO MONTHS. AND HE KNEW THAT KENNETH
09:56AM 24 HOUSE WAS DEFENDANT SALAZAR'S PARTNER IN THE DRUG BUSINESS,
09:56AM 25 AND HE MET HOUSE THROUGH DEFENDANT SALAZAR. HE KNEW--ONCE

1660

09:56AM 1 HE STARTED DELIVERING TO CHARLIE, WHEN SALAZAR AND HOUSE WERE
09:56AM 2 IN CUSTODY, CHARLIE WAS HANDLING THE BUSINESS AND HE STARTED
09:56AM 3 MESSING UP. AND SO HE TOLD YOU THAT IT WAS BOBBY JAMES, TREY
09:57AM 4 TIBBS AND MELISSA STEWART THAT COMPLAINED TO HIM ABOUT THE WAY
09:57AM 5 CHARLIE WAS HANDLING THE BUSINESS. SO MIKE CUT CHARLIE OUT AND
09:57AM 6 STARTED DELIVERING DIRECTLY. AND HE KNEW THAT MELISSA STEWART
09:57AM 7 WAS GETTING METHAMPHETAMINE FOR BOBBY JAMES AT A RATE OF ONE
09:57AM 8 OUNCE TWO TO THREE TIMES PER WEEK.

09:57AM 9 HE TOLD YOU THAT TREY TIBBS WAS ALSO RECEIVING ONE
09:57AM 10 OUNCE TWICE A WEEK, AND HE MET TREY TIBBS THE FIRST TIME WHEN
09:57AM 11 HE WAS AT DEFENDANT SALAZAR'S HOUSE.

09:57AM 12 HE TOLD YOU THAT PRISCILLA, HIS SISTER, DISTRIBUTED
09:57AM 13 FOUR OUNCES TO KENNETH HOUSE, WHO WAS DEFENDANT SALAZAR'S
09:57AM 14 PARTNER. HE KNEW THAT CHRISTINA HOUSE WAS KENNETH HOUSE'S
09:57AM 15 WIFE. HE TOLD YOU THAT HE DISTRIBUTED APPROXIMATELY 58
09:57AM 16 POUNDS OF METHAMPHETAMINE PRIOR TO HIS INCARCERATION, AND
09:57AM 17 HE DISTRIBUTED TO BOTH SALAZAR AND HOUSE DURING THIS TIME.
09:57AM 18 KENNETH HOUSE. AND HE TOLD YOU THAT THREE-FOURTHS OF THIS 58
09:57AM 19 POUNDS THAT HE OR HIS SISTER PRISCILLA DISTRIBUTED TO EITHER
09:57AM 20 DEFENDANT SALAZAR OR HIS PARTNER, KENNETH HOUSE--THREE-FOURTHS
09:57AM 21 OF THAT 58 POUNDS WENT TO THEM. AND THAT EQUALS ABOUT 43.5
09:57AM 22 POUNDS OF METHAMPHETAMINE.

09:58AM 23 THEN NEXT YOU HEARD FROM FERNANDO PERALES,
09:58AM 24 ALSO KNOWN AS DOGG. HE TOLD YOU THAT HE STARTED DEALING
09:58AM 25 METHAMPHETAMINE IN 2011, AND HIS SOURCE OF SUPPLY WAS PELON.

09:58AM 1 AND HE WAS INITIALLY RUNNING DRUGS FOR PELON, AND HE STASHED
09:58AM 2 APPROXIMATELY ONE POUND--A KILOGRAM OF METHAMPHETAMINE A WEEK
09:58AM 3 AT HIS HOUSE, AND THAT HE LIVED IN DUNCANVILLE, AND HE WAS
09:58AM 4 DISTRIBUTING PROBABLY ONE TO TWO POUNDS PER WEEK.

09:58AM 5 HE MET KENNETH HOUSE THROUGH AMANDA. AND THAT'S
09:58AM 6 THE SAME THING KENNETH HOUSE TOLD YOU IN HIS TESTIMONY. IT WAS
09:58AM 7 THROUGH A FEMALE NAMED AMANDA THAT HE MET DOGG. AND FERNANDO
09:58AM 8 TOLD YOU THAT HE STARTED SELLING IN 2011. HE DELIVERED
09:58AM 9 METHAMPHETAMINE TO KENNETH HOUSE AT DIFFERENT LOCATIONS IN
09:58AM 10 PLANO. HE DELIVERED EIGHT OUNCES TO A POUND A WEEK TO KENNETH
09:58AM 11 HOUSE. HE UTILIZED A RUNNER WHOSE NAME WAS BEN. HE CALLED
09:59AM 12 HIM "BO." AND THAT HE KNEW KENNETH HOUSE WAS ALSO MARRIED TO
09:59AM 13 CHRISTINA HOUSE, AND THAT HE KNEW KENNETH HOUSE DROVE A WHITE
09:59AM 14 TRUCK. AND THAT'S THE SAME WHITE TRUCK YOU SAW IN PHOTOGRAPHS
09:59AM 15 DURING KENNETH HOUSE'S ARREST. HE TOLD YOU THAT HE KNEW
09:59AM 16 KENNETH HOUSE WAS DELIVERING METHAMPHETAMINE IN THE SHERMAN
09:59AM 17 AND DENISON AREAS, AND HE KNEW THAT KENNETH HOUSE AND DEFENDANT
09:59AM 18 SALAZAR WERE PARTNERS. HE SAID THAT KENNETH HOUSE TOLD HIM
09:59AM 19 THAT THE METHAMPHETAMINE WAS FOR HIM AND HIS PARTNER SALAZAR,
09:59AM 20 AND THAT HE KNEW THE DEFENDANT WAS ALSO CALLED "CHUCKY." HE
09:59AM 21 STARTED DISTRIBUTING TO CHUCKY WHEN KENNETH HOUSE WENT TO JAIL.
09:59AM 22 HE WAS DELIVERING ABOUT FOUR OUNCES TO CHUCKY FIVE TO 10 TIMES.
09:59AM 23 AND THAT HE MET DEFENDANT SALAZAR IN DUNCANVILLE, WHERE HE
09:59AM 24 LIVED, AND GAVE HIM THAT METHAMPHETAMINE OR SOLD HIM THAT
09:59AM 25 METHAMPHETAMINE.

CLOSING STATEMENT BY THE GOVERNMENT

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09:59AM 1 HE SAID HE STARTED DISTRIBUTING TO CHRISTINA HOUSE
09:59AM 2 ONCE FLIP, HER HUSBAND, WAS ARRESTED, BUT HE SOLD SMALLER
09:59AM 3 AMOUNTS TO CHRISTINA HOUSE. AND HE KNEW THAT CHRISTINA
10:00AM 4 HOUSE WAS TRAVELING WITH DEFENDANT TIM BOWEN'S SISTER-IN-LAW.
10:00AM 5 AND HE IDENTIFIED A PICTURE OF KISHA BOWEN AS TIM BOWEN'S
10:00AM 6 SISTER-IN-LAW. AND HE SAID HE MET KISHA BOWEN THROUGH
10:00AM 7 CHRISTINA HOUSE, WHO IS FLIP'S WIFE. THEN, THROUGH THAT
10:00AM 8 RELATIONSHIP, HE MET DEFENDANT TIM BOWEN. THROUGH THE
10:00AM 9 RELATIONSHIP WITH CHRISTINA HOUSE AND KISHA BOWEN, HE MET TIM
10:00AM 10 BOWEN. HE SAID HE MET KISHA FIRST, WHICH WE SHOWED YOU THROUGH
10:00AM 11 THE TESTIMONY, BECAUSE SHE WAS TRAVELING WITH CHRISTINA HOUSE
10:00AM 12 AT THAT INTRODUCTION, THEN HE MET KIM BOWEN. HE TOLD YOU
10:00AM 13 THAT KISHA BOWEN TRAVELED AFTER THAT WITH TIM BOWEN TO GET
10:00AM 14 THE METHAMPHETAMINE. HE WAS DELIVERING, AGAIN, THREE TO
10:00AM 15 FOUR OUNCES INITIALLY, AND THEN BOWEN STARTED TRAVELING TO
10:00AM 16 HIM AND HIS DRIVER. HE WAS GOING THERE AND THEY WERE DRIVING
10:00AM 17 MULTIPLE VEHICLES. THEY WERE DRIVING THE DODGE CHARGER. HE
10:00AM 18 TOLD YOU ABOUT HE REMEMBERED FOUR-DOOR COROLLAS. HE TOLD YOU
10:01AM 19 THAT BOWEN STARTED TRAVELING WITH TREY TIBBS, WHO WAS ALSO
10:01AM 20 KNOWN AS DOUBLE, AND THAT HE WAS SUPPLYING DEFENDANT BOWEN
10:01AM 21 AND DOUBLE FIVE TO SIX OUNCES PER WEEK INITIALLY, AND IT WAS
10:01AM 22 INCREASED TO NINE TO 10 OUNCES PER WEEK. AND HE KNEW THAT
10:01AM 23 DEFENDANT BOWEN AND TREY TIBBS--"DOUBLE"--WERE DELIVERING
10:01AM 24 THE METHAMPHETAMINE TO THE SHERMAN AREA.
10:01AM 25 THEN NEXT YOU HEARD FROM PRISCILLA CAMACHO. SHE

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10:01AM 1 TOLD YOU THAT SHE STARTED DISTRIBUTING METHAMPHETAMINE IN 2011,
10:01AM 2 AND SHE WAS DRIVING AND DELIVERING FOR HER BROTHER, AND THAT
10:01AM 3 SHE DROVE TO THE MCKINNEY AND DENISON AREAS TO DELIVER FOR HIM.
10:01AM 4 AND SHE SAID THAT ANDY NGUYEN WAS HER SOURCE OF SUPPLY FOR THIS
10:01AM 5 METHAMPHETAMINE, AND ANDY NGUYEN HAD RUNNERS WHO DELIVERED
10:01AM 6 FOR HIM. AND SHE IDENTIFIED THOSE TWO RUNNERS THAT TESTIFIED
10:01AM 7 BEFORE YOU AS WORKING FOR ANDY NGUYEN. SHE TOLD YOU THAT SHE
10:01AM 8 PICKED UP THE METHAMPHETAMINE FROM ANDY NGUYEN'S RUNNERS NEAR
10:01AM 9 THE NORTHPARK MALL.

10:02AM 10 SHE TOLD YOU THAT SHE DELIVERED METHAMPHETAMINE TO
10:02AM 11 KENNETH HOUSE, HIS RESIDENCE, BECAUSE KENNETH HOUSE WAS ON AN
10:02AM 12 ANKLE MONITOR. AND WHEN SHE DID THAT, CHRISTINA HOUSE AND
10:02AM 13 DEFENDANT SALAZAR WERE PRESENT. AND SHE TOLD YOU SHE ALSO
10:02AM 14 DELIVERED TO DEFENDANT RENE SALAZAR'S HOUSE, WHICH WAS ON DAY
10:02AM 15 STREET, AND THAT ANDREA REEVES, HIS GIRLFRIEND, WAS PRESENT
10:02AM 16 AT THAT LOCATION. SHE SAID THAT WHEN SHE DELIVERED TO KENNETH
10:02AM 17 HOUSE, HE AND DEFENDANT SALAZAR SPLIT THE METHAMPHETAMINE 50/50
10:02AM 18 BECAUSE THEY WERE PARTNERS. AND SHE SAID WHEN KENNETH HOUSE
10:02AM 19 WENT TO JAIL, SHE CONTINUED TO DELIVER TO DEFENDANT RENE SALAZAR.
10:02AM 20 AND WHEN BOTH SALAZAR AND KENNETH HOUSE WERE IN JAIL, THEN SHE
10:02AM 21 DELIVERED TO CHARLIE QUIROLO, AND SHE DID THAT FOR ABOUT TWO
10:02AM 22 MONTHS.

10:02AM 23 AND SHE SAID THAT PRIOR TO SALAZAR GOING TO JAIL
10:02AM 24 THAT HE STORED HIS DRUGS AT ANOTHER HOUSE. AND THAT'S THE
10:02AM 25 SAME THING THAT CHARLIE QUIROLO TOLD YOU. SHE SAID THAT

1664

10:02AM 1 SHE DELIVERED TO BOBBY JAMES, WHO IS ANOTHER COCONSPIRATOR,
10:02AM 2 APPROXIMATELY ONE TIME, AND THAT WHEN HER BROTHER WENT TO JAIL,
10:03AM 3 SHE STARTED DEALING FOR HERSELF FROM JANUARY 2012 TO MARCH
10:03AM 4 2012. AND THIS--AGAIN, SHE'S GETTING THE DRUGS FROM ANDY
10:03AM 5 NGUYEN, WHO IS GETTING THEM FROM PRIMO.

10:03AM 6 AND IT WAS ABOUT THIS TIME THAT RAMIRO CAZARES AND
10:03AM 7 JUAN CARLOS VEGA ENTERED THIS PARTICULAR CONSPIRACY, AND THEY
10:03AM 8 WERE DISTRIBUTING TO PRISCILLA CAMACHO.

10:03AM 9 SHE TOLD YOU THAT SHE DISTRIBUTED TO ANDREA REEVES,
10:03AM 10 BRENDA REEVES, WHICH IS ANDREA REEVES' STEPMOTHER, AND MELISSA
10:03AM 11 STEWART AND SHANNON ASKEW. SHE TOLD YOU THAT ALL OF HER
10:03AM 12 CUSTOMERS PAID UP FRONT AND SHE DIDN'T FRONT ANY METHAMPHETAMINE
10:03AM 13 OUT, AND THAT ANDY NGUYEN WAS CHARGING BETWEEN FOUR AND SEVEN
10:03AM 14 HUNDRED DOLLARS AN OUNCE, AND SHE WAS RESELLING TO HER CUSTOMERS
10:03AM 15 IN SHERMAN FOR \$1400 AN OUNCE.

10:03AM 16 THEN YOU HEARD FROM BOBBY JOE JAMES. HE TOLD YOU
10:03AM 17 THAT HE STARTED DEALING IN THIS PARTICULAR CONSPIRACY IN
10:04AM 18 OCTOBER OF 2010. HE TOLD YOU THAT KENNETH HOUSE WAS HIS SOURCE
10:04AM 19 OF SUPPLY, AND HE WAS GETTING ABOUT ONE OUNCE TO A QUARTER-POUND
10:04AM 20 OF METHAMPHETAMINE EVERY DAY; THAT HE INITIALLY WORKED FOR
10:04AM 21 HOUSE, KENNETH HOUSE, MAKING \$500 A DAY FOR DELIVERING THE
10:04AM 22 METHAMPHETAMINE. AND THAT WHEN HE WENT TO HOUSE'S RESIDENCE,
10:04AM 23 TREY TIBBS WAS PRESENT, AND HE KNEW TREY TIBBS AS DOUBLE, AND
10:04AM 24 THAT DOUBLE ALSO WORKED FOR HOUSE, AND THAT KENNETH'S WIFE--
10:04AM 25 I SHOULD SAY KENNETH HOUSE'S WIFE WAS PRESENT.

10:04AM 1 HE TOLD YOU THAT DEFENDANT SALAZAR WAS KENNETH
10:04AM 2 HOUSE'S PARTNER IN THE DRUG BUSINESS, IN THE METHAMPHETAMINE
10:04AM 3 BUSINESS, AND THAT HE GOT METHAMPHETAMINE FROM DEFENDANT
10:04AM 4 SALAZAR WHEN HOUSE WAS UNAVAILABLE. HE SAID HE WENT TO
10:04AM 5 SALAZAR'S HOUSE ON DAY STREET TO MEET WITH SALAZAR, AND CHARLIE
10:04AM 6 AND ANDREA WERE PRESENT. HE KNEW THAT CHARLIE LIVED NEXT DOOR
10:04AM 7 TO SALAZAR AND STASHED METHAMPHETAMINE FOR SALAZAR. HE TOLD
10:05AM 8 YOU HE KNEW THAT ANDREA REEVES WAS HOUSE'S GIRLFRIEND, AND
10:05AM 9 THAT HE KNEW DOGG WAS HOUSE'S FIRST SOURCE OF SUPPLY.

10:05AM 10 HE TOLD YOU THAT HE KNEW MIKE CAMACHO WAS HOUSE'S
10:05AM 11 SECOND SOURCE OF SUPPLY, THAT WHEN THEY COULDN'T GET IT FROM
10:05AM 12 DOGG, THAT THEY WENT TO DUNCANVILLE IN ORDER TO GET IT. AND
10:05AM 13 THAT ONCE THEY STARTED GETTING IT FROM MIKE CAMACHO, THAT IT
10:05AM 14 WAS MIKE'S SISTER PRISCILLA THAT HELPED MIKE DISTRIBUTE. THEY
10:05AM 15 WOULD MEET PRISCILLA OR MIKE IN VAN ALSTYNE WHEN KENNETH HOUSE
10:05AM 16 AND DEFENDANT SALAZAR WERE INCARCERATED.

10:05AM 17 HE TOLD YOU THAT CHARLIE SUPPLIED IT FROM HIS HOUSE
10:05AM 18 FOR A COUPLE OF MONTHS, AND THAT ONCE CHARLIE STARTED MESSING
10:05AM 19 UP, ANDREA REEVES TOOK OVER AND STARTED DELIVERING TO HIM.

10:05AM 20 AND THEN YOU HEARD FROM CHARLES QUIROLO, CHARLIE.
10:05AM 21 HE TOLD YOU THAT HE LIVED ON DAY STREET IN DENISON AND THAT HE
10:05AM 22 MET THE DEFENDANT RENE SALAZAR--CHUCKY--IN ABOUT 2011. HE TOLD
10:06AM 23 YOU WHEN HE FIRST MET HIM THAT DEFENDANT SALAZAR WAS LIVING IN
10:06AM 24 AN APARTMENT BEHIND HIS SISTER'S HOUSE AND THAT DEFENDANT
10:06AM 25 SALAZAR MOVED IN QUIROLO'S MOTHER'S RENT HOUSE ON DAY STREET,

1666

10:06AM 1 WHICH WAS RIGHT NEXT DOOR TO WHERE HE LIVED, WITH ANDREA
10:06AM 2 REEVES. THAT OCCURRED, THROUGH OTHER TESTIMONY, IN ABOUT JUNE
10:06AM 3 OF 2011.

10:06AM 4 HE TOLD YOU THAT HE WORKED FOR SALAZAR, DELIVERING
10:06AM 5 METHAMPHETAMINE TO CUSTOMERS, AND THAT THE CUSTOMERS WERE TREY
10:06AM 6 TIBBS, BOBBY JAMES AND MELISSA STEWART, OR MISSY. AND THAT HE
10:06AM 7 ALSO WEIGHED THE METHAMPHETAMINE FOR DEFENDANT SALAZAR. HE
10:06AM 8 TOLD YOU HE WEIGHED AT BOTH DAY STREET HOUSES, AND HE WEIGHED
10:06AM 9 AND STORED AT ANOTHER LOCATION WHICH WE SHOWED TO YOU, AND HE
10:06AM 10 IDENTIFIED THAT HOUSE AS BEING NOW OWNED BY SALAZAR'S MOTHER.
10:06AM 11 HE TOLD YOU THAT SALAZAR ALWAYS PAID HIM WITH METHAMPHETAMINE.
10:06AM 12 CHARLIE QUIROLO TOLD YOU THAT HE HAD BEEN A USER OF
10:06AM 13 METHAMPHETAMINE FOR ABOUT 12 YEARS AND THAT KENNETH HOUSE
10:06AM 14 HELPED HIM WITH THAT SUPPLY--WITH THAT ADDICTION BY SUPPLYING
10:07AM 15 HIM THE METHAMPHETAMINE.

10:07AM 16 HE SAID HE KNEW KENNETH HOUSE AND SALAZAR WERE
10:07AM 17 PARTNERS IN THE METHAMPHETAMINE BUSINESS. HE TOLD YOU THAT
10:07AM 18 HOUSE--KENNETH HOUSE INTRODUCED DEFENDANT SALAZAR TO MIKE--
10:07AM 19 MIKE CAMACHO--AND HE KNEW THAT MIKE WAS THE SOURCE OF SUPPLY
10:07AM 20 FOR HOUSE AND DEFENDANT SALAZAR AND THAT MIKE'S SISTER HELPED
10:07AM 21 MIKE DISTRIBUTE THAT METHAMPHETAMINE TO BOTH SALAZAR AND HOUSE.

10:07AM 22 HE TOLD YOU THAT SALAZAR WOULD GET RID OF THE
10:07AM 23 METHAMPHETAMINE APPROXIMATELY 30 MINUTES AFTER THEY RECEIVED
10:07AM 24 IT. HE TOLD YOU THAT WHILE HE WAS WEIGHING IT OUT AND
10:07AM 25 REPACKAGING IT IN THE BAGS FOR DISTRIBUTION THAT DEFENDANT

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10:07AM 1 SALAZAR WAS ON THE PHONE, CALLING CUSTOMERS, TELLING THEM THAT
10:07AM 2 THE METHAMPHETAMINE WAS THERE, AND THAT THE CUSTOMERS WERE
10:07AM 3 COMING IMMEDIATELY TO PICK IT UP.

10:07AM 4 HE ALSO TOLD YOU THAT SALAZAR WOULD PAY CHRISTINA
10:07AM 5 HOUSE'S BILLS WHILE KENNETH HOUSE WAS IN JAIL, THAT THEY HAD
10:07AM 6 THAT ARRANGEMENT. THAT BECAUSE THEY WERE PARTNERS, DEFENDANT
10:08AM 7 SALAZAR AND HOUSE, THEY WOULD TAKE CARE OF EACH OTHER'S
10:08AM 8 FAMILIES IF ONE OF THEM WERE INCARCERATED. AND THAT IF BOTH
10:08AM 9 OF THEM WERE INCARCERATED, THEN MIKE ENDED UP PAYING CHRISTINA
10:08AM 10 HOUSE'S BILLS. AND THEN ALSO WHEN SALAZAR AND HOUSE WERE IN
10:08AM 11 JAIL, MIKE PAID ANDREA REEVES, DEFENDANT SALAZAR'S GIRLFRIEND--
10:08AM 12 HE PAID HER BILLS. AND THEN WE ALSO HEARD THAT ONCE DEFENDANT
10:08AM 13 SALAZAR WAS IN JAIL, CHARLIE WOULD CONTINUE DISTRIBUTING
10:08AM 14 THE METHAMPHETAMINE TO KENNETH HOUSE AND DEFENDANT SALAZAR'S
10:08AM 15 CUSTOMERS. CUSTOMERS STARTED COMPLAINING, SO MIKE QUIT DEALING
10:08AM 16 WITH HIM, AND THEN MIKE STARTED DEALING WITH ANDREA REEVES.

10:08AM 17 AND THEN YOU HEARD FROM ANDREA REEVES. AND SHE TOLD
10:08AM 18 YOU SHE DATED DEFENDANT SALAZAR. SHE IDENTIFIED HIM, AS WELL,
10:08AM 19 AS CHUCKY. THAT THEY STARTED DATING IN MAY, BUT THEN THEY
10:08AM 20 MOVED IN TOGETHER INTO A HOUSE ON DAY STREET IN JUNE OF 2011.
10:08AM 21 SHE TOLD YOU SHE SUSPECTED THAT THE DEFENDANT RENE SALAZAR WAS
10:08AM 22 DEALING DRUGS BECAUSE HE ALWAYS HAD MONEY, HE WAS UNEMPLOYED,
10:08AM 23 AND HE DISAPPEARED FOR VARIOUS TIMES. AND SHE ASKED SALAZAR,
10:09AM 24 YOU KNOW, WHAT'S UP, AND HE ADMITTED THAT HE WAS DISTRIBUTING
10:09AM 25 METHAMPHETAMINE TO HIM. SHE TOLD HIM, "PLEASE DON'T DO IT

10:09AM 1 AROUND MY KIDS." BUT THEN SHE TOLD YOU HE KEPT DOING IT
10:09AM 2 BECAUSE HE ALWAYS HAD MONEY, HE DIDN'T HAVE A JOB, AND HE
10:09AM 3 KEPT DISAPPEARING.

10:09AM 4 AND SHE TOLD YOU THAT CHARLIE QUIROLO LIVED NEXT
10:09AM 5 DOOR TO THEM AT THE DAY STREET RESIDENCE AND THAT CHARLIE'S
10:09AM 6 JOB WAS DISTRIBUTING AND WEIGHING FOR SALAZAR, AND THAT SHE MET
10:09AM 7 MIKE CAMACHO THROUGH DEFENDANT SALAZAR, MIKE CAMACHO BEING THE
10:09AM 8 SOURCE OF SUPPLY. AND SHE TOLD YOU THAT MIKE CAMACHO DELIVERED
10:09AM 9 TWO OUNCES AT A TIME TO THEM, THAT SHE WAS AWARE OF, AND THAT
10:09AM 10 WHEN SALAZAR WENT TO JAIL, MIKE PAID THE BILLS FOR HER.

10:09AM 11 SHE IDENTIFIED THE CUSTOMERS THAT DEFENDANTS SALAZAR
10:09AM 12 AND HOUSE WERE DELIVERING TO: TREY TIBBS, OR DOUBLE, SHANNON
10:10AM 13 ASKEW, MELISSA STEWART AND BOBBY JAMES. AND THEN, WHEN SALAZAR
10:10AM 14 WENT TO JAIL, CHARLIE STARTED MESSING UP. WHILE
10:10AM 15 SHE WAS TALKING TO SALAZAR, HE ASKED HER IF SHE COULD START
10:10AM 16 SELLING. AND IT WAS AFTER THAT THAT SHE CALLED MIKE AND
10:10AM 17 STARTED DISTRIBUTING.

10:10AM 18 SO, LADIES AND GENTLEMEN, WHAT YOU HAVE THERE IS THE
10:10AM 19 DEFENDANT SALAZAR IS IN CUSTODY, HE'S STILL GOING ON WITH HIS
10:10AM 20 BUSINESS. HE KNOWS THAT CHARLIE IS RUNNING THE BUSINESS, HE
10:10AM 21 KNOWS THAT CHARLIE IS MESSING UP, AND SO, IN ORDER TO KEEP HIS
10:10AM 22 CUSTOMERS HAPPY, FROM JAIL HE ASKED ANDREA REEVES TO TAKE OVER
10:10AM 23 THE DISTRIBUTION OF HIS ORGANIZATION.

10:10AM 24 ANDREA REEVES TELLS YOU THAT SHE MET EITHER MIKE OR
10:10AM 25 PRISCILLA AT A WHATABURGER OR MCDONALD'S IN MCKINNEY, OR AT

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10:10AM 1 THEIR HOUSE, AND SHE STARTED RECEIVING ONE TO TWO OUNCES AT
10:10AM 2 THAT TIME, THEN SHE STARTED RECEIVING TWO OUNCES TWO OR THREE
10:10AM 3 TIMES A WEEK. AND SHE WAS ARRESTED. SHE WAS CAUGHT WITH WHAT
10:10AM 4 PRISCILLA HAD DISTRIBUTED--PRISCILLA CAMACHO HAD DISTRIBUTED
10:11AM 5 TO HER. AND YOU HEARD THAT IT WAS FOUND IN A WHATABURGER CUP,
10:11AM 6 WHICH IS CONSISTENT WITH THE LOCATION WHERE THEY MET.

10:11AM 7 THEN YOU HEARD FROM KENNETH HOUSE, WHO WAS DEFENDANT
10:11AM 8 SALAZAR'S PARTNER IN THE METHAMPHETAMINE BUSINESS. AND HE TOLD
10:11AM 9 YOU THAT HE KNEW THAT DEFENDANT SALAZAR WAS DISTRIBUTING
10:11AM 10 METHAMPHETAMINE. AND ONCE KENNETH HOUSE STARTED DISTRIBUTING,
10:11AM 11 HE STARTED SELLING AS MUCH AS SALAZAR. AND SO, SO THEY
10:11AM 12 WOULDN'T BUTT HEADS, HE APPROACHES THE DEFENDANT SALAZAR AND
10:11AM 13 ASKED HIM DID HE WANT TO ENTER INTO A PARTNERSHIP. AND SALAZAR
10:11AM 14 AGREED.

10:11AM 15 AT THAT TIME, HOUSE'S SOURCE OF SUPPLY WAS FERNANDO,
10:11AM 16 ALSO KNOWN AS DOGG. HE TOLD YOU THAT HE MET DOGG WHEN HE
10:11AM 17 STARTED RECEIVING FROM HIM AT COLLIN CREEK MALL IN PLANO,
10:11AM 18 RECEIVING ONE OUNCE AT A TIME, AND SPLIT IT WITH SALAZAR SO
10:11AM 19 THAT THEY COULD TEST IT AND SEE IF THIS IS QUALITY PRODUCT
10:11AM 20 AND IF THEY WANTED TO KEEP DEALING WITH DOGG. THEY DECIDED
10:11AM 21 TO KEEP THE RELATIONSHIP WITH DOGG.

10:12AM 22 EACH TIME THAT KENNETH HOUSE RECEIVED ANY
10:12AM 23 METHAMPHETAMINE, HE SPLIT IT WITH HIS PARTNER, DEFENDANT
10:12AM 24 SALAZAR. HE TOLD YOU THAT AT THE BEGINNING OF THEIR
10:12AM 25 PARTNERSHIP THAT THE DEFENDANT SALAZAR WAS LIVING BEHIND HIS

10:12AM 1 SISTER'S HOUSE, CONSISTENT WITH THE OTHER TESTIMONY, AND THAT
10:12AM 2 DEFENDANT HOUSE MOVED TO A HOUSE ON DAY STREET, MOVED THERE
10:12AM 3 WITH HIS GIRLFRIEND, AND THAT CHARLIE WAS RESPONSIBLE FOR THE
10:12AM 4 DISTRIBUTION AND WEIGHING OF METHAMPHETAMINE FOR DEFENDANT
10:12AM 5 SALAZAR. HE TOLD YOU THAT THEY ALSO USED A VACANT HOUSE
10:12AM 6 TO STORE THE METHAMPHETAMINE. AND HE SAID THAT TREY TIBBS
10:12AM 7 DELIVERED AND PICKED UP MONEY FOR HIM AND THAT BOBBY JAMES
10:12AM 8 WORKED FOR BOTH HE AND HOUSE, DELIVERING THE METH AND PICKING
10:12AM 9 UP MONEY. AND SALAZAR TOLD KENNETH HOUSE THAT HE WAS SELLING
10:12AM 10 METHAMPHETAMINE TO THE DEFENDANT TIM BOWEN, AND HE SAID HE ALSO
10:12AM 11 DISTRIBUTED TO MELVIN BOWEN. IF YOU REMEMBER THE TESTIMONY,
10:12AM 12 THEY GOT BEHIND--DEFENDANT TIM BOWEN AND HIS BROTHER GOT BEHIND
10:12AM 13 IN THEIR PAYMENTS TO DEFENDANT SALAZAR, AND KENNETH HOUSE SAID,
10:13AM 14 "QUIT DEALING WITH THEM." BUT DEFENDANT SALAZAR SAID, "NO,"
10:13AM 15 AND HE KEPT DELIVERING TO BOTH TIM BOWEN AND HIS BROTHER MELVIN
10:13AM 16 BOWEN.

10:13AM 17 KENNETH HOUSE TOLD YOU THAT SALAZAR--WHEN MELVIN
10:13AM 18 BOWEN WENT TO JAIL, HE WENT OVER TO KISHA BOWEN'S HOUSE
10:13AM 19 AND TOLD HER THAT MELVIN BOWEN HAD A DEBT AND THAT SHE WAS
10:13AM 20 RESPONSIBLE FOR PAYING THAT DEBT. AND AS YOU KNOW, KISHA BOWEN
10:13AM 21 IS TIM BOWEN'S SISTER-IN-LAW. AND SALAZAR AND HOUSE AGREED
10:13AM 22 TO TAKE CARE OF EACH OTHER'S FAMILIES, YOU KNOW, IF EITHER ONE
10:13AM 23 OF THEM WERE INCARCERATED. AND THAT CAMACHO WOULD DELIVER TO
10:13AM 24 SALAZAR WHEN HOUSE WAS IN JAIL, AND THEN WHEN HE WAS RELEASED,
10:13AM 25 HE MET CAMACHO THROUGH SALAZAR. WHEN HOUSE GOT OUT OF JAIL,

10:13AM 1 HE HOOKED BACK UP WITH DEFENDANT SALAZAR, AND THEN HE MET MIKE
10:13AM 2 CAMACHO. AND WHEN HE WAS ARRESTED, HE HAD THREE OUNCES THAT
10:13AM 3 HE SAID CAME FROM DOGG AND THAT HE WAS BRINGING THAT THREE
10:14AM 4 OUNCES BACK TO SPLIT WITH SALAZAR.

10:14AM 5 HE TOLD YOU THAT WHEN BOTH HE AND SALAZAR WERE
10:14AM 6 ARRESTED THAT CHARLIE TOOK OVER. MIKE WAS DELIVERING TO
10:14AM 7 CHARLIE, CHARLIE WAS MESSING UP, CUSTOMERS COMPLAINING, AND
10:14AM 8 THEN MIKE STARTED DEALING WITH ANDREA REEVES, WHO TOOK OVER
10:14AM 9 AT DEFENDANT SALAZAR'S REQUEST, AND THAT MANUEL CAMACHO WAS
10:14AM 10 DELIVERING EIGHT OUNCES AT A TIME TO THEM, AND HIS SISTER
10:14AM 11 PRISCILLA WOULD ALSO DISTRIBUTE TO BOTH OF THEM, AND THEY WOULD
10:14AM 12 MEET, AGAIN, IN VAN ALSTYNE OR AT THEIR HOUSE, ESPECIALLY WHEN
10:14AM 13 HE WAS ON AN ANKLE MONITOR.

10:14AM 14 HE ALSO TOLD YOU THAT PRISCILLA DELIVERED TO HIM
10:14AM 15 WHEN HE WAS ON ANKLE MONITOR AND THAT THE TOTAL AMOUNT OF
10:14AM 16 METHAMPHETAMINE THAT HE RECEIVED FROM THE TWO SOURCES OF SUPPLY
10:14AM 17 IN THIS CONSPIRACY THAT THEY WERE RESPONSIBLE FOR GETTING THIS
10:14AM 18 METHAMPHETAMINE TO SHERMAN WAS APPROXIMATELY 45 POUNDS, WHICH
10:14AM 19 IS 22 KILOGRAMS OF METHAMPHETAMINE. AND THEN ONCE HOUSE WAS
10:14AM 20 ARRESTED, SALAZAR CONTINUED TO DISTRIBUTE.

10:15AM 21 THEN YOU HEARD FROM TREY TIBBS, AND HE'S KNOWN AS
10:15AM 22 "DOUBLE," AND HE TOLD YOU THAT IN 2010 THAT KENNETH HOUSE WAS
10:15AM 23 HIS SOURCE OF SUPPLY. AND THEN HOUSE WENT TO JAIL. AND ONCE
10:15AM 24 HE WAS RELEASED HE STARTED DELIVERING FOR HIM, AND HE WAS
10:15AM 25 DELIVERING ABOUT A QUARTER-POUND OF METHAMPHETAMINE A DAY.

CLOSING STATEMENT BY THE GOVERNMENT

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10:15AM 1 HE MET THE DEFENDANT RENE SALAZAR THROUGH KENNETH HOUSE IN
10:15AM 2 2011. HE KNEW THAT KENNETH HOUSE WAS ALSO CALLED "CHUCKY."
10:15AM 3 HE SAID THAT SALAZAR AND HOUSE WERE PARTNERS IN THE
10:15AM 4 METHAMPHETAMINE BUSINESS, AND HE KNEW THAT MIKE CAMACHO
10:15AM 5 WAS ONE OF THE SOURCES OF SUPPLY FOR SALAZAR AND HOUSE.

10:15AM 6 WHEN HOUSE WENT TO JAIL, DEFENDANT SALAZAR STARTED
10:15AM 7 SUPPLYING TREY TIBBS TWO OUNCES EVERY DAY FOR ABOUT ONE TO TWO
10:15AM 8 MONTHS. HE TOLD YOU THAT INITIALLY SALAZAR WOULD FRONT THE
10:15AM 9 METHAMPHETAMINE TO TREY TIBBS, BUT THEN WHEN TREY TIBBS GOT
10:15AM 10 ARRESTED, THE DEFENDANT SALAZAR SAID, "NO MORE DRUGS UP FRONT;
10:15AM 11 YOU'VE GOTTA START PAYING FOR IT." SO HE STARTED RECEIVING
10:16AM 12 LESSER AMOUNTS. SO HE WAS ONLY RECEIVING A QUARTER-OUNCE TO A
10:16AM 13 HALF-OUNCE A DAY.

10:16AM 14 HE WENT TO THE HOUSE ON DAY STREET TO GET THE
10:16AM 15 METHAMPHETAMINE FROM SALAZAR. HE KNEW ANDREA REEVES LIVED
10:16AM 16 THERE AND CHARLIE WAS THEIR NEXT-DOOR NEIGHBOR.

10:16AM 17 HE TOLD YOU ALSO THAT CHARLIE STARTED DISTRIBUTING
10:16AM 18 THE METHAMPHETAMINE WHEN SALAZAR WENT TO JAIL, CUSTOMERS
10:16AM 19 STARTED COMPLAINING TO MIKE, THEN MIKE STARTED DEALING DIRECTLY
10:16AM 20 WITH HIM UNTIL ANDREA REEVES TOOK OVER. AND THEN DURING THAT
10:16AM 21 TIME HE ALSO STARTED BUYING METHAMPHETAMINE FROM DOGG. HE KNEW
10:16AM 22 DOGG LIVED IN DUNCANVILLE, AND HE STARTED OUT PURCHASING ONE
10:16AM 23 OUNCE FROM DOGG, WHICH INCREASED TO EIGHT OUNCES.

10:16AM 24 AND THEN DURING HIS RELATIONSHIP WITH DOGG, HE
10:16AM 25 DISCOVERED THAT THE DEFENDANT TIM BOWEN WAS ALSO GETTING

1673

10:16AM 1 METHAMPHETAMINE FROM DOGG. AND THE TESTIMONY WAS THAT AFTER
10:16AM 2 THEY FOUND OUT THAT THE DEFENDANT TIM BOWEN WAS GETTING CHARGED
10:16AM 3 MORE THAN DOUBLE WAS GETTING CHARGED, THAT THEY AGREED TO POOL
10:17AM 4 THEIR MONEY IN ORDER TO GET A CHEAPER PRICE FOR MORE
10:17AM 5 METHAMPHETAMINE. AND SO TREY TIBBS TOLD YOU HE STARTED
10:17AM 6 RECEIVING EIGHT OUNCES OF METHAMPHETAMINE, AND TIM BOWEN WAS
10:17AM 7 RECEIVING TWO OUNCES OF METHAMPHETAMINE.

10:17AM 8 YOU HEARD TREY TIBBS TELL YOU THAT BOWEN WAS PAYING
10:17AM 9 THE DRIVERS TO DRIVE THEM TO MEET DOGG, AND THAT THE DRIVERS
10:17AM 10 WERE SABRINA AND HE SAID MARIE OR MARISA, HE COULDN'T REMEMBER
10:17AM 11 THE OTHER DRIVER'S NAME, BUT WE SHOWED YOU IT WAS MARIE, AND
10:17AM 12 SHE WAS THE ONE WHO DROVE INITIALLY A DODGE MAGNUM THAT
10:17AM 13 BELONGED TO CARLOS, THE GUY SHE WAS LIVING WITH. AND AFTER
10:17AM 14 DRIVING CARLOS'S DODGE MAGNUM FOR A WHILE, THEN THEY RENTED
10:17AM 15 CARS WHICH THEY USED TO DRIVE TO MEET DOGG.

10:17AM 16 TREY TIBBS TOLD YOU THAT HE AND DEFENDANT BOWEN HID
10:17AM 17 THEIR METHAMPHETAMINE IN EITHER A WATER BOTTLE OR ONE OF THOSE
10:17AM 18 HIDE-A-CANS.

10:17AM 19 YOU HEARD FROM MARIE DAVILA, ONE OF THE DRIVERS
10:18AM 20 THAT TIM BOWEN HIRED TO DRIVE. SHE TOLD YOU SHE WAS A
10:18AM 21 METHAMPHETAMINE USER. SHE TOLD YOU THAT INITIALLY SHE WAS
10:18AM 22 GETTING SUPPLIED BY JOSH BOWEN, WHO WAS TIM BOWEN AND MELVIN
10:18AM 23 BOWEN'S OTHER BROTHER, AND THAT WHILE JOSH BOWEN WAS SUPPLYING
10:18AM 24 HER THEY WOULD GO TO TIM BOWEN'S HOUSE TO GET THE
10:18AM 25 METHAMPHETAMINE TO SUPPLY IT TO HER. SHE HADN'T MET TIM BOWEN

1674

10:18AM 1 FACE-TO-FACE BY THEN, BUT THEN SHE MET SABRINA SCHROEDER, AND
10:18AM 2 IT WAS THROUGH HER RELATIONSHIP WITH SABRINA THAT SHE ENDED
10:18AM 3 UP MEETING DEFENDANT TIM BOWEN FACE-TO-FACE.

10:18AM 4 AND THEN AFTER THAT INTRODUCTION TIM BOWEN STARTED
10:18AM 5 SUPPLYING HER METHAMPHETAMINE. AND AFTER THEIR RELATIONSHIP
10:18AM 6 TOOK OFF, SHE STARTED DRIVING FOR TIM BOWEN IN ABOUT JUNE OR
10:18AM 7 JULY OF 2001 [SIC]. AND SHE TOLD YOU THAT TIM BOWEN PAID HER
10:18AM 8 ABOUT A HUNDRED DOLLARS EACH TIME SHE DROVE. SHE ALSO TOLD YOU
10:18AM 9 THAT TIM BOWEN PAID HER NOT ONLY THE HUNDRED DOLLARS FOR EACH
10:18AM 10 TIME BUT HE ALSO GAVE HER A GRAM OF METHAMPHETAMINE.

10:18AM 11 AND IT WAS DURING THESE TRIPS TO EITHER DOGG OR
10:19AM 12 HIS RUNNER THAT SHE WOULD OVERHEAR DEFENDANT BOWEN IN THE CAR
10:19AM 13 CALLING DOGG AND ASKING IF THE METHAMPHETAMINE WAS READY. AND
10:19AM 14 INITIALLY WHEN THEY GOT BACK FROM GETTING THE METHAMPHETAMINE
10:19AM 15 FROM DOGG OR HIS RUNNER, THEY WERE GOING TO TIMOTHY BOWEN'S
10:19AM 16 HOUSE, BUT TIMOTHY BOWEN'S GIRLFRIEND DIDN'T LIKE MARIE DAVILA,
10:19AM 17 SO THEN THEY STARTED GOING TO HOTELS AND STARTED WEIGHING THE
10:19AM 18 METHAMPHETAMINE THERE. AND AFTER THEY WOULD WEIGH IT UP, THEY
10:19AM 19 WOULD CALL--TIM BOWEN WOULD CALL THE CUSTOMERS AND THEY WOULD
10:19AM 20 COME GET THE METHAMPHETAMINE.

10:19AM 21 AND SHE TOLD YOU SHE WAS DRIVING TIM BOWEN EVERY TWO
10:19AM 22 TO THREE DAYS TO GET METHAMPHETAMINE. AND AT SOME POINT WHILE
10:19AM 23 SHE WAS DRIVING FOR TIM BOWEN, TIM BOWEN HOOKED UP WITH TREY
10:19AM 24 TIBBS, WHO IS "DOUBLE," AND HE STARTED GOING WITH HER. AND SHE
10:19AM 25 ESTIMATED THAT WHILE TREY TIBBS AND DEFENDANT BOWEN WERE

1675

10:19AM 1 TRAVELING TOGETHER, SHE DROVE THEM APPROXIMATELY 18 TO 20 TIMES
10:20AM 2 HERSELF.

10:20AM 3 SHE TOLD YOU THAT DOUBLE WAS GETTING A CHEAPER PRICE
10:20AM 4 THAN BOWEN, AND THAT'S HOW THEY ENDED UP HOOKING UP AND DRIVING
10:20AM 5 TOGETHER TO GET FROM DOGG. AND SHE TOLD YOU, TOO, THAT DOUBLE
10:20AM 6 AND BOWEN USED A WATER BOTTLE AND A HIDE-A-CAN THAT THEY
10:20AM 7 CONCEALED THEIR METH IN. AND SHE TOLD YOU, JUST AS TREY TIBBS
10:20AM 8 DID, THAT THAT HIDE-A-CAN WAS LIKE ONE OF THOSE TIRE SHINE
10:20AM 9 FALSE-BOTTOM CANS THAT SHE GOT FROM THE GAS PIPE IN PLANO.

10:20AM 10 SHE TOLD YOU THAT INITIALLY SHE STARTED DRIVING THE
10:20AM 11 DODGE MAGNUM AND THAT THEN THEY STARTED USING RENTAL CARS.
10:20AM 12 SHE TOLD YOU THEY ALSO USED COROLLAS AND DODGE CHARGERS. SHE
10:20AM 13 SAID ONE TIME WHEN TIM BOWEN CALLED DOGG AND ASKED HIM IF THE
10:20AM 14 METHAMPHETAMINE WAS READY, THE METHAMPHETAMINE WASN'T READY,
10:20AM 15 SO THEY STOPPED OFF AT THE FRISCO MALL AND DEFENDANT BOWEN
10:20AM 16 BOUGHT HER A COACH PURSE.

10:21AM 17 THEN YOU HEARD FROM CARLOS CABRALES. HE SAID THAT
10:21AM 18 HE MET TIM BOWEN THROUGH MARIE. MARIE WAS LIVING WITH HIM AT
10:21AM 19 THE TIME. SHE ASKED HIM TO USE HIS VEHICLE TO TAKE TIM BOWEN
10:21AM 20 TO PICK UP THE METHAMPHETAMINE. THEY USED HIS DODGE MAGNUM.
10:21AM 21 AND APPROXIMATELY TWO TO THREE TIMES A WEEK THEY WOULD BOTH
10:21AM 22 PAY HIM IN METHAMPHETAMINE. AND ON ONE OCCASION AFTER THEY HAD
10:21AM 23 USED HIS DODGE MAGNUM, HE SAW THEM IN HIS GARAGE, AND THEY WERE
10:21AM 24 REPACKAGING ABOUT TWO OUNCES OF METHAMPHETAMINE IN HIS GARAGE.

10:21AM 25 HE SAID AFTER THAT THEY SWITCHED TO RENTAL CARS, AND

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10:21AM 1 THE RENTAL CARS WERE IN HIS NAME, BUT THAT BOWEN PAID HIM FOR
10:21AM 2 THEM. AND THAT THEY KEPT THE RENTAL CARS NORMALLY FOR A WHOLE
10:21AM 3 WEEK AT A TIME.

10:21AM 4 AND THEN YOU HEARD FROM CHRISTINA HOUSE. SHE TOLD
10:21AM 5 YOU THAT SHE WAS MARRIED TO KENNETH HOUSE, ALSO KNOWN AS FLIP.
10:21AM 6 AND SHE SAID THAT KENNETH HOUSE AND RENE SALAZAR WERE CLOSE,
10:22AM 7 THEY WERE LIKE BROTHERS. SHE KNEW SALAZAR WAS CHUCKY, AND
10:22AM 8 SHE ALSO KNEW THAT CHUCKY AND HER HUSBAND WERE PARTNERS IN
10:22AM 9 THE METHAMPHETAMINE BUSINESS.

10:22AM 10 SHE KNEW THAT DOGG WAS THE SOURCE OF SUPPLY AND THAT
10:22AM 11 HE LIVED IN DUNCANVILLE. AND SHE WAS WITH HOUSE APPROXIMATELY
10:22AM 12 15 TIMES WHEN HE OBTAINED METHAMPHETAMINE FROM DOGG THAT HE
10:22AM 13 SUBSEQUENTLY SPLIT WITH DEFENDANT SALAZAR. SHE SAID THAT HOUSE
10:22AM 14 AND SALAZAR WERE GETTING APPROXIMATELY TWO OUNCES TWO TO THREE
10:22AM 15 TIMES A WEEK FROM AUGUST TO NOVEMBER OF 2010, AND THAT THEY
10:22AM 16 WOULD MEET DOGG AT THE ALLEN OUTLET OR AT HOOTERS IN PLANO.
10:22AM 17 AND AFTER HER HUSBAND WENT TO JAIL, SHE CONTINUED PURCHASING
10:22AM 18 METHAMPHETAMINE FROM DOGG, AND SHE WAS POOLING MONEY WITH
10:22AM 19 OTHER COCONSPIRATORS WHEN SHE WAS TRAVELING TO MEET DOGG TO
10:22AM 20 GET METHAMPHETAMINE FROM HIM. SHE TOLD YOU SHE WAS PURCHASING
10:22AM 21 ABOUT TWO TO THREE TIMES A WEEK FROM NOVEMBER OF 2010 TO MARCH
10:22AM 22 OF '11.

10:22AM 23 KENNETH HOUSE WAS ARRESTED IN NOVEMBER OF 2010, AND
10:22AM 24 SHE WAS ARRESTED IN MARCH OF 2011. SO DURING THAT TIME FRAME
10:22AM 25 SHE WAS GETTING METHAMPHETAMINE TWO TO THREE TIMES A WEEK.

1677

10:23AM 1 AND THEN WHEN HOUSE WAS RELEASED FROM JAIL, HE
10:23AM 2 COULDN'T GET METHAMPHETAMINE FROM DOGG ANYMORE BECAUSE SHE TOLD
10:23AM 3 YOU THAT DOGG WAS A LITTLE LEERY. SO THEN THEY STARTED GOING
10:23AM 4 TO MIKE CAMACHO. AND THEY MET MIKE CAMACHO THROUGH SALAZAR
10:23AM 5 BECAUSE THAT'S WHO WAS DISTRIBUTING TO DEFENDANT SALAZAR
10:23AM 6 WHILE KENNETH HOUSE WAS IN JAIL.

10:23AM 7 SHE TOLD YOU THAT SALAZAR THEN INTRODUCED KENNETH
10:23AM 8 HOUSE TO MIKE CAMACHO WHEN HE GOT OUT OF JAIL, AND THAT SHE
10:23AM 9 WENT WITH KENNETH HOUSE TO PICK UP AND DELIVER MONEY TO SALAZAR
10:23AM 10 AS WELL. SHE WENT TO SALAZAR'S HOUSE ON DAY STREET, SHE KNEW
10:23AM 11 ANDREA REEVES WAS LIVING THERE, SHE KNEW CHARLIE WAS THE
10:23AM 12 NEXT-DOOR NEIGHBOR AND THAT CHARLIE WAS INITIALLY ONE OF
10:23AM 13 KENNETH HOUSE'S CUSTOMERS AND THEN BECAME A WORKER FOR
10:23AM 14 DEFENDANT SALAZAR.

10:23AM 15 SHE TOLD YOU THAT SHE AND KISHA BOWEN WENT
10:23AM 16 APPROXIMATELY FIVE TIMES TO GET METHAMPHETAMINE FROM DOGG.
10:23AM 17 WHEN THEY WERE LEAVING SHERMAN IN ORDER TO GO MEET DOGG AT THE
10:24AM 18 VARIOUS LOCATIONS, THEY WOULD STOP BY TIM BOWEN'S HOUSE AND
10:24AM 19 PICK UP MONEY FROM HIM BEFORE THEY WENT TO MEET DOGG.

10:24AM 20 AND THEN AFTER THEY PICKED UP THE METHAMPHETAMINE,
10:24AM 21 TIM BOWEN WOULD BE THE FIRST STOP THAT THEY WOULD STOP AT WHEN
10:24AM 22 THEY GOT BACK TO SHERMAN.

10:24AM 23 AT SOME POINT, BECAUSE YOU HEARD THAT KISHA BOWEN
10:24AM 24 WAS PREGNANT, THEY DECIDED THAT KISHA BOWEN WASN'T GOING TO BE
10:24AM 25 ABLE TO DRIVE AS MUCH ANYMORE. BUT CHRISTINA HOUSE DIDN'T HAVE

10:24AM 1 A VEHICLE. SO KISHA BOWEN PROVIDED TRANSPORTATION, AND THEY
10:24AM 2 DECIDED TO INTRODUCE TIM BOWEN TO DOGG. AND SO WHAT CHRISTINA
10:24AM 3 HOUSE DID IS, SHE CALLED DOGG AND TOLD DOGG, IF YOU REMEMBER
10:24AM 4 HER TESTIMONY, THAT TIM BOWEN WAS A GOOD CUSTOMER, HE HAD A LOT
10:24AM 5 OF HIS OWN CUSTOMERS, SO HE WOULD BE A GOOD CUSTOMER TO START
10:24AM 6 GETTING FROM DOGG. SHE TOLD YOU THAT THEY ALL STARTED OUT
10:24AM 7 GOING DOWN THERE TO MEET DOGG, BUT SHE STILL OWED DOGG MONEY
10:24AM 8 FOR METHAMPHETAMINE SHE HAD GOTTEN FROM HIM, SO SHE DIDN'T WANT
10:24AM 9 TO MAKE THE FULL TRIP DOWN THERE. SO THEY DROPPED HER OFF AT
10:25AM 10 AN OLIVE GARDEN. AND SO TIM BOWEN AND WENT ON DOWN TO MEET
10:25AM 11 DOGG FACE-TO-FACE.

10:25AM 12 AND SHE TOLD YOU THAT TIM BOWEN STARTED TRAVELING
10:25AM 13 WITH KISHA BOWEN, INITIALLY GOING TO DOGG'S, AND THEN AFTER
10:25AM 14 KISHA BOWEN HAD HER BABY OR, ACTUALLY, SHE WAS TOO PREGNANT TO
10:25AM 15 TRAVEL, TIM BOWEN STARTED GOING TO MEET DOGG WITHOUT HER.

10:25AM 16 SHE TOLD YOU THAT SHE AND KISHA BOWEN WERE ARRESTED
10:25AM 17 IN NOVEMBER 2011. AND IF YOU REMEMBER HER TESTIMONY, SHE
10:25AM 18 TOLD YOU THAT KENNETH HOUSE WAS GETTING OUT THE NEXT DAY, ON
10:25AM 19 NOVEMBER 10TH, SO SHE WANTED TO MAKE A BASKET FOR HIM. SHE
10:25AM 20 CALLED KISHA BOWEN, BECAUSE SHE DIDN'T HAVE A RIDE. KISHA CAME
10:25AM 21 AND GOT HER, AND THEY WERE GONNA GO TO WALMART IN ORDER TO GET
10:25AM 22 STUFF FOR THIS BASKET. WELL, KISHA TOLD HER, "I'VE GOT TO WAIT
10:25AM 23 FOR TIM BOWEN TO GET BACK WITH THE METHAMPHETAMINE." IT GOT
10:25AM 24 LATER. AND SO KISHA BOWEN PICKED HER UP LATE. AND SHE TOLD
10:26AM 25 YOU KISHA HAD GONE BY--OR TIM BOWEN HAD BROUGHT THE DRUGS TO

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10:26AM 1 KISHA AT HER HOUSE OR KISHA HAD GONE TO PICK UP THE DRUGS FROM
10:26AM 2 TIM BOWEN, AND MADE A DELIVERY TO HER HOUSE AND KEPT A LITTLE
10:26AM 3 BIT OF THE METHAMPHETAMINE WITH HER BECAUSE THEY STOPPED TO
10:26AM 4 DELIVER TO A CUSTOMER, AND AFTER THAT DELIVERY THEY WERE
10:26AM 5 STOPPED BY LAW ENFORCEMENT. SHE TOLD YOU THAT SHE TOOK THE
10:26AM 6 METHAMPHETAMINE THAT KISHA BOWEN HAD AND SHE PUT IT IN HER
10:26AM 7 OWN PURSE BECAUSE KISHA BOWEN WAS PREGNANT.

10:26AM 8 THEN YOU HEARD FROM KISHA BOWEN. AND SHE TOLD YOU
10:26AM 9 SHE WAS MARRIED TO MELVIN BOWEN, WHO WAS TIM BOWEN'S BROTHER.
10:26AM 10 AND SHE TOLD YOU THAT SHE FOUND OUT THAT DEFENDANT SALAZAR WAS
10:26AM 11 DELIVERING METHAMPHETAMINE TO HER HOUSE. AND THE WAY SHE FOUND
10:26AM 12 OUT WAS THAT HER HUSBAND TESTED POSITIVE FOR METHAMPHETAMINE
10:26AM 13 AND WENT BACK TO JAIL. MAYBE NOT THE FIRST TIME, BUT THE
10:26AM 14 SECOND TIME, HE HAD A POSITIVE UA. HE GOES TO JAIL--MELVIN
10:26AM 15 BOWEN GOES TO JAIL. THEN SALAZAR COMES TO HER HOUSE AND
10:26AM 16 WANTS HER TO PAY OFF MELVIN BOWEN'S DEBT. SO SHE SOLD
10:27AM 17 METHAMPHETAMINE, I THINK, THREE TIMES TO SATISFY THE DEBT
10:27AM 18 TO DEFENDANT SALAZAR.

10:27AM 19 SHE TELLS YOU THAT AFTER SHE PAYS OFF THE DEBT,
10:27AM 20 SHE CONTINUES TO OBTAIN METHAMPHETAMINE FROM SALAZAR, AND
10:27AM 21 IT'S DURING THAT RELATIONSHIP THAT SHE INTRODUCES TIM BOWEN
10:27AM 22 TO SALAZAR FOR THE PURPOSE OF CONDUCTING DRUG BUSINESS.

10:27AM 23 AND SHE TOLD YOU THAT TIM BOWEN IS HER BROTHER-IN-LAW
10:27AM 24 SHE TOLD YOU SHE HAD MET CHRISTINA HOUSE BECAUSE THEIR HUSBANDS
10:27AM 25 WERE IN JAIL TOGETHER AND THAT KENNETH HOUSE HAD TOLD CHUCKY--

CLOSING STATEMENT BY THE GOVERNMENT

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10:27AM 1 THE DEFENDANT RENE SALAZAR--NOT TO SELL TO CHRISTINA. SO
10:27AM 2 BECAUSE CHUCKY WOULDN'T SELL TO CHRISTINA HOUSE, THEY HAD TO
10:27AM 3 GO GET THE METHAMPHETAMINE FROM DOGG.

10:27AM 4 SHE WENT WITH CHRISTINA HOUSE TO GET THAT
10:27AM 5 METHAMPHETAMINE, AND SHE WOULD STOP BY TIM BOWEN'S HOUSE IN
10:27AM 6 ORDER TO GET THE MONEY FROM HIM PRIOR TO THEIR LEAVING TO GO
10:27AM 7 MEET DOGG. AFTER THEIR MEETING WITH DOGG, THEY BROUGHT THE
10:27AM 8 METHAMPHETAMINE BACK TO TIM BOWEN.

10:28AM 9 SHE DECIDED TO INTRODUCE TIM BOWEN DIRECTLY TO DOGG.
10:28AM 10 CHRISTINA HOUSE OWED DOGG MONEY, SO THEY DROPPED HER OFF AT THE
10:28AM 11 OLIVE GARDEN. AND DURING THAT CONVERSATION SHE TOLD YOU THAT
10:28AM 12 THEY WERE ALL DISCUSSING PRICES. AND INITIALLY DOGG WAS
10:28AM 13 CHARGING \$1100 AN OUNCE, BUT HE TOLD THEM IF THEY WERE GONNA
10:28AM 14 BE CONSISTENT CUSTOMERS, HE WOULD DROP IT DOWN TO \$900 AN OUNCE.
10:28AM 15 AND SO THEN TIM BOWEN STARTED GOING TO GET METHAMPHETAMINE FROM
10:28AM 16 DOGG WITHOUT KISHA BOWEN. SO, THEN, DURING THE COURSE OF HIS
10:28AM 17 PURCHASING FROM DOGG, HE FINDS OUT THAT TREY TIBBS--DOUBLE--
10:28AM 18 WAS GETTING METHAMPHETAMINE AT A CHEAPER PRICE. AND SO HE
10:28AM 19 AND TIM BOWEN AND DOUBLE START TRAVELING TOGETHER TO GET
10:28AM 20 THE METHAMPHETAMINE FROM DOGG SO THAT THEY CAN GET MORE
10:28AM 21 METHAMPHETAMINE AT A CHEAPER PRICE.

10:28AM 22 AND KISHA BOWEN TOLD YOU THAT TIM BOWEN USED
10:28AM 23 DRIVERS, SABRINA AND MARIE, TO TAKE HIM TO GET THE
10:29AM 24 METHAMPHETAMINE FROM EITHER DOGG OR ONE OF HIS RUNNERS,
10:29AM 25 OR BOTH. AND SHE TOLD YOU AGAIN ABOUT THE STOP IN 2011, THAT

10:29AM 1 SHE HAD THE METHAMPHETAMINE IN HER POSSESSION, BUT CHRISTINA
10:29AM 2 HAD TAKEN IT FROM HER AND PUT IT IN HER OWN PURSE.

10:29AM 3 THEN--WELL, INITIALLY YOU HEARD FROM AGENT JOE MATA.
10:29AM 4 AND HE TOLD YOU THAT THE WAY DEA GOT INVOLVED IN THIS CASE WAS
10:29AM 5 THAT SHERMAN P.D. CALLED THEM TO ASSIST IN THE METHAMPHETAMINE
10:29AM 6 CASE THAT THEY HAD GOING ON. AND IT WAS DURING THIS
10:29AM 7 INVESTIGATION THAT AGENT MATA DETERMINED THAT ANDY NGUYEN WAS
10:29AM 8 THE SOURCE OF SUPPLY FOR SOME OF THE METHAMPHETAMINE THAT WAS
10:29AM 9 BEING DISTRIBUTED IN THE SHERMAN-DENISON AREA. AND HE FOUND
10:29AM 10 OUT THAT INITIALLY THE METHAMPHETAMINE WAS BEING SENT FROM
10:29AM 11 MEXICO BY PRIMO AND THAT PRIMO WAS SUPPLYING RAMIRO CAZARES AND
10:29AM 12 THE DEFENDANT JUAN CARLOS VEGA. AND THAT CAZARES AND DEFENDANT
10:30AM 13 VEGA, THEY WOULD PICK UP THE MONEY AND DELIVER--PICK UP AND
10:30AM 14 DELIVER MONEY FOR PRIMO. AGENT MATA TOLD YOU THAT CAZARES
10:30AM 15 AND VEGA WERE IDENTIFIED AS SUPPLIERS OF METH TO ANDY NGUYEN.
10:30AM 16 PRIMO WAS THE SOURCE OF SUPPLY. THE DEFENDANT JUAN CARLOS VEGA
10:30AM 17 AND CAZARES, THEY WERE WORKING FOR PRIMO IN DISTRIBUTING TO
10:30AM 18 ANDY NGUYEN AND HIS ORGANIZATION.

10:30AM 19 AGENT MATA TOLD YOU THAT DURING HIS INVESTIGATION
10:30AM 20 HE IDENTIFIED A SILVER TRUCK THAT WAS BEING UTILIZED BY RAMIRO
10:30AM 21 CAZARES WHEN HE AND DEFENDANT VEGA WENT TO PICK UP MONEY FROM
10:30AM 22 ANDY NGUYEN'S RUNNERS.

10:30AM 23 AGENT MATA ALSO TOLD YOU THAT PRIMO CALLED ANDY AND
10:30AM 24 SAID HE NEEDED ANOTHER VEHICLE FOR ONE OF HIS WORKERS TO DRIVE,
10:30AM 25 AND THAT HE WANTED THE BLACK HONDA BECAUSE IT ALREADY HAD THE

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10:31AM 1 TRAP IN IT. SO MANUEL OR ONE OF HIS DRIVERS DELIVERED THE
10:31AM 2 BLACK HONDA ACCORD TO CAZARES. AND NOW YOU SEE THE HONDA WITH
10:31AM 3 THE TRAP ALREADY IN IT.

10:31AM 4 AGENT MATA ALSO TOLD YOU THAT RAMIRO CAZARES GIVES
10:31AM 5 THE BLACK HONDA TO VEGA, THE DEFENDANT VEGA, SO HE CAN PICK
10:31AM 6 UP MONEY AND METH WHEN RAMIRO CAZARES IS UNABLE TO DO THAT.
10:31AM 7 AND AGENT MATA TOLD YOU THAT PRIMO TELLS RAMIRO CAZARES
10:31AM 8 AND DEFENDANT VEGA TO PICK UP THE METHAMPHETAMINE.

10:31AM 9 AND HE IDENTIFIED CAZARES AS IN A SILVER TRUCK AND
10:31AM 10 THAT VEGA--ON THIS ONE OCCASION WHERE PRIMO CALLS HIM AND TELLS
10:31AM 11 HIM THAT HE NEEDS THEM TO PICK UP THE METHAMPHETAMINE--THIS IS
10:31AM 12 THE METHAMPHETAMINE SUBSEQUENTLY FOUND OUT AT THE BRITON COURT
10:31AM 13 RESIDENCE--PRIMO TELLS THEM BOTH TO PICK THIS METHAMPHETAMINE
10:31AM 14 UP. CAZARES IS DRIVING THE SILVER TRUCK; DEFENDANT VEGA IS
10:32AM 15 DRIVING THE BLACK HONDA WITH THE TRAP. THEY GO TO THE MEET
10:32AM 16 LOCATION, A CONVENIENCE STORE/GAS STATION RIGHT ACROSS FROM
10:32AM 17 HOME DEPOT. SO CAZARES--WHILE HE'S PUMPING GAS, DEFENDANT
10:32AM 18 VEGA WALKS OVER TO THE HOME DEPOT. HE MEETS WITH THE
10:32AM 19 SUPPLIER AND PICKS UP THE METHAMPHETAMINE. HE BRINGS THE
10:32AM 20 METHAMPHETAMINE--HE TELLS CAZARES, "LOOK, I'VE ALREADY GOT IT."

10:32AM 21 THEY PROCEED TO DEFENDANT VEGA'S APARTMENT. THEY
10:32AM 22 LEAVE THE METHAMPHETAMINE IN THE BLACK HONDA, IN THE TRAP,
10:32AM 23 OVERNIGHT, AND THEN THE NEXT DAY IT'S EVENTUALLY TAKEN TO
10:32AM 24 BRITON COURT, WHICH IS IN GRAND PRAIRIE.

10:32AM 25 AGENT MATA TOLD YOU THAT HE OBTAINED A SEARCH

10:32AM 1 WARRANT FOR BRITON COURT, AND THEN THAT'S WHEN HE FOUND
10:32AM 2 A CONVERSION LAB.

10:32AM 3 AND THEN WE SHOWED YOU THE PICTURE OF THE EVIDENCE
10:32AM 4 THAT WAS FOUND THERE AT BRITON COURT. AS YOU SEE IN THE TOP
10:32AM 5 PICTURE, THERE'S ALL THE POTS AND STUFF THAT THE DEFENDANT
10:32AM 6 JUAN CARLOS VEGA AND RAMIRO CAZARES USED WHEN THEY WERE COOKING
10:33AM 7 THE METHAMPHETAMINE.

10:33AM 8 BACK UP A LITTLE BIT. IF YOU REMEMBER CAZARES'S
10:33AM 9 TESTIMONY, HE TOLD YOU THAT WHILE THEY WERE DISTRIBUTING THE
10:33AM 10 METHAMPHETAMINE, PRIMO CALLED THEM AND WANTED THEM TO START
10:33AM 11 COOKING. AND SO HE WAS GETTING--PRIMO WAS GIVING INSTRUCTIONS
10:33AM 12 TO RAMIRO CAZARES AND DEFENDANT VEGA ON HOW TO COOK THE
10:33AM 13 METHAMPHETAMINE. RAMIRO CAZARES TOLD YOU THAT THEY WERE ON A
10:33AM 14 CELL PHONE. HE PUT THE CELL PHONE ON SPEAKER SO THAT HE AND
10:33AM 15 DEFENDANT VEGA COULD LEARN AND RECEIVE THESE INSTRUCTIONS
10:33AM 16 FROM PRIMO. SO THEY TRIED TO COOK SEVERAL TIMES. THEY WERE
10:33AM 17 UNSUCCESSFUL. BUT CLEARLY, AS THEY KEPT TRYING, THEY GOT MORE
10:33AM 18 SUCCESSFUL. SO WHEN A SEARCH WARRANT WAS EXECUTED AT THIS
10:33AM 19 RESIDENCE, YOU SAW THE EVIDENCE OF THE POTS AND PANS THAT
10:33AM 20 THEY WERE USING TO COOK, YOU SAW THE COOLERS WITH THE LIQUID
10:33AM 21 METHAMPHETAMINE IN IT, AND THEN, OF COURSE, THE FINISHED
10:33AM 22 PRODUCT, WHICH THE CHEMIST TESTIFIED WAS ICE METHAMPHETAMINE
10:33AM 23 AND WAS OVER 80 PERCENT PURE.

10:34AM 24 AND THEN IN THE MIDDLE PICTURES THERE YOU SEE THE
10:34AM 25 COCAINE THAT DEFENDANT VEGA WENT AND GOT FROM THE PEOPLE OVER

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10:34AM 1 AT THE HOME DEPOT. AND THIS IS THE METHAMPHETAMINE THAT WAS
10:34AM 2 HIDDEN IN THIS LAUNDRY BASKET UPSTAIRS AT THIS RESIDENCE.

10:34AM 3 AND, ALSO, SPECIAL AGENT MATA TOLD YOU THAT WHEN
10:34AM 4 CAZARES WAS ARRESTED, HE AGREED TO COOPERATE, AND HE PLACED A
10:34AM 5 RECORDED CALL TO DEFENDANT JUAN CARLOS VEGA. HE SAYS THAT--
10:34AM 6 OH, AND DURING THIS RECORDED CALL YOU HEAR DEFENDANT VEGA
10:34AM 7 SAYING THAT HE CAN GO TO THE HOUSE, HE'S AVAILABLE TO GO TO
10:34AM 8 THE HOUSE AND DO THE COOKING. HE SAYS IT NOT ONCE BUT TWICE.
10:34AM 9 AND WHAT IS HE TALKING ABOUT? HE'S COOKING METHAMPHETAMINE.
10:34AM 10 HE MEANS THAT HE CAN GO TO THE HOUSE ON BRITON WHERE THEY
10:34AM 11 NORMALLY COOK THE METHAMPHETAMINE.

10:34AM 12 AND THEN CAZARES TELLS DEFENDANT VEGA THAT HE NEEDS
10:34AM 13 TO TAKE THE BALLS OUT OF HIS WIFE'S HOUSE. REMEMBER THE
10:34AM 14 CONVERSATION? CAZARES SAYS, "MY EX-WIFE FOUND OUT ABOUT THE
10:35AM 15 BALLS. SHE'S ANGRY. I'VE GOTTA MOVE THEM."

10:35AM 16 DEFENDANT VEGA DOESN'T SAY, "WHAT BALLS? WHAT ARE
10:35AM 17 YOU TALKING ABOUT?" IN FACT, HE VOLUNTEERS TO GO TO THE HOUSE
10:35AM 18 TO GET THE BALLS TO FIND THEM ANOTHER STORAGE LOCATION FOR THAT
10:35AM 19 METHAMPHETAMINE.

10:35AM 20 RAMIRO CAZARES LEADS LAW ENFORCEMENT TO DEFENDANT
10:35AM 21 VEGA'S RESIDENCE. THEY SET UP SURVEILLANCE AT VEGA'S
10:35AM 22 RESIDENCE. SURVEILLANCE SEES DEFENDANT VEGA INSIDE THE BLACK
10:35AM 23 HONDA AND MOVING IT AWAY FROM HIS APARTMENT. WHEN THEY FIRST
10:35AM 24 GET THERE, THE BLACK HONDA WITH THE TRAP IS OUTSIDE OF JUAN
10:35AM 25 CARLOS VEGA'S APARTMENT. THEY SEE HIM GET IN AND MOVE IT AWAY

10:35AM 1 FROM HIS APARTMENT SO IT WILL BE SEVERAL DISTANCES AWAY FROM
10:35AM 2 HIS HOUSE.

10:35AM 3 AND THEN SURVEILLANCE LATER SEES DEFENDANT JUAN
10:35AM 4 CARLOS VEGA LEAVING IN ANOTHER VEHICLE, AND HE'S SUBSEQUENTLY
10:36AM 5 STOPPED AT THE CVS, AND DEFENDANT JUAN CARLOS VEGA--HE AGREES
10:36AM 6 TO COOPERATE.

10:36AM 7 THEN YOU HEAR FROM RAMIRO CAZARES, AND HE TELLS YOU
10:36AM 8 THAT HE GOT INVOLVED IN THE DISTRIBUTION OF METHAMPHETAMINE
10:36AM 9 IN JANUARY OF THIS YEAR AND THAT HE WORKED FOR PRIMO AND
10:36AM 10 THAT PRIMO INSTRUCTED HIM WHERE TO PICK UP THE MONEY AND WHO
10:36AM 11 TO DELIVER THE MONEY TO. THE FIRST TIME HE PICKED UP MONEY,
10:36AM 12 IT WAS ABOUT 10,000. THE SECOND TIME HE PICKED UP IT WAS
10:36AM 13 ABOUT 9,000, AND HE PICKED IT UP FROM A PERSON AT A MALL
10:36AM 14 NEAR 75 AND PARK LAKE, WHICH IS THE NORTHPARK MALL. AND
10:36AM 15 HE CONTINUED TO PICK UP MONEY FOR PRIMO. AND WHEN HE WAS
10:36AM 16 UNAVAILABLE,

10:36AM 17 HE SENT THE DEFENDANT JUAN CARLOS VEGA TO PICK UP MONEY.

10:36AM 18 THEN HE TOLD YOU THAT PRIMO WANTED TO START
10:36AM 19 DISTRIBUTING DRUGS--WANTED TO USE THEM TO START DISTRIBUTING
10:36AM 20 DRUGS, AND THAT HE INITIALLY PICKED UP FOUR KILOGRAMS OF
10:36AM 21 METHAMPHETAMINE. HE TOOK THE FOUR KILOGRAMS TO A PERSON WHO
10:36AM 22 WAS NEAR THE MALL AT PARK LANE, AND HE SAID HE DELIVERED FOUR
10:37AM 23 KILOGRAMS TO AN ASIAN GUY THAT HE IDENTIFIED AS HOANG, WHICH
10:37AM 24 WAS ONE OF ANDY NGUYEN'S DRIVERS. HE WAS IN A SILVER-GRAY FORD
10:37AM 25 TRUCK WHEN HE WOULD PICK UP THE MONEY AND DELIVER THE DRUGS.

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10:37AM 1 HE SAID THAT AFTER A TIME PRIMO CALLED HIM AND TOLD
10:37AM 2 HIM THAT HE HAD TO GO MEET WITH HIM AGAIN. SO HOANG BROUGHT
10:37AM 3 HIM BACK THE FOUR KILOGRAMS OF METH. AND PRIMO CALLED CAZARES
10:37AM 4 AGAIN AND TOLD HIM TO TAKE MORE KILOGRAMS OF METHAMPHETAMINE
10:37AM 5 TO THE SAME PERSON AT PARK LANE AND THE MALL.

10:37AM 6 RAMIRO CAZARES TOLD YOU THAT DEFENDANT JUAN CARLOS
10:37AM 7 VEGA TRAVELED WITH HIM TO GET THE METHAMPHETAMINE. AND HE TOLD
10:37AM 8 YOU THAT HE GAVE DEFENDANT VEGA THE PHONE NUMBER OF THE PEOPLE
10:37AM 9 THEY WERE SUPPOSED TO MEET AND THAT IT WAS DEFENDANT JUAN
10:37AM 10 CARLOS VEGA WHO ACTUALLY CALLED THE PEOPLE TO MAKE THE
10:37AM 11 ARRANGEMENTS ON WHERE TO PICK UP THE METHAMPHETAMINE. AND
10:37AM 12 THAT'S THE LOCATION OF THE HOME DEPOT AND THE GAS STATION.

10:38AM 13 AND THEN THEY MET THOSE PEOPLE AGAIN WHILE JUAN
10:38AM 14 CARLOS WENT TO GO PICK UP THE METHAMPHETAMINE, CAZARES WAS
10:38AM 15 PUMPING THE GAS. VEGA WAS DRIVING THE BLACK HONDA THAT CAZARES
10:38AM 16 HAD LOANED TO HIM. AND AS YOU REMEMBER, THIS IS THE BLACK
10:38AM 17 HONDA THAT CAME FROM ANDY NGUYEN.

10:38AM 18 RAMIRO CAZARES TOLD YOU THAT HE WAS GETTING THE
10:38AM 19 GASOLINE. VEGA MET THE PEOPLE AND PICKED UP PACKAGES THAT
10:38AM 20 LOOKED LIKE AMERICAN FOOTBALLS. IF YOU RECALL, THE
10:38AM 21 METHAMPHETAMINE THAT WAS LOCATED IN A LAUNDRY BASKET THAT WAS
10:38AM 22 OBLONG-SHAPED. THEY TOOK THE PACKAGE TO VEGA'S APARTMENT,
10:38AM 23 LEFT IT IN THE TRAP OVERNIGHT, THEN THEY TOOK IT TO CAZARES'S
10:38AM 24 EX-WIFE'S HOUSE, THE HOUSE ON BRITON STREET, THE NEXT DAY, AND
10:38AM 25 THEY HID THE METHAMPHETAMINE IN THE LAUNDRY BASKET, AND THAT

10:38AM 1 WAS THE METHAMPHETAMINE THAT WAS LATER DISCOVERED DURING THE
10:39AM 2 EXECUTION OF THE WARRANT.

10:39AM 3 RAMIRO CAZARES TOLD YOU THAT PRIMO HAD GIVEN HE AND
10:39AM 4 VEGA INSTRUCTIONS ON HOW TO COOK THE METHAMPHETAMINE, AND THEY
10:39AM 5 WOULD COOK THE METHAMPHETAMINE AT THE BRITON HOUSE. AND THEN
10:39AM 6 YOU SAW THOSE PICTURES OF THE CRYSTALIZED METHAMPHETAMINE
10:39AM 7 COOLERS AFTER THE LIQUID METHAMPHETAMINE WAS IN THE THERMOSES.

10:39AM 8 WHEN CAZARES WAS ARRESTED, HE COOPERATED, CALLED
10:39AM 9 VEGA. IN THE RECORDED CALL--WE'LL LISTEN TO THAT NOW--
10:39AM 10 [PLAYBACK OF AUDIO RECORDING]--YOU HEAR DEFENDANT JUAN VEGA IN
10:43AM 11 THIS CALL. HE'S TALKING TO CAZARES. NEVER AT ANY TIME DO YOU
10:44AM 12 HEAR JUAN CARLOS VEGA ASK, "WHO'S PRIMO? WHAT BALLS ARE YOU
10:44AM 13 TALKING ABOUT? WHAT EX-WIFE ARE YOU TALKING ABOUT? WHAT HOUSE
10:44AM 14 ARE YOU TALKING ABOUT?" HE NEVER ASKED THOSE QUESTIONS. SO
10:44AM 15 CLEARLY HE KNOWS WHAT'S GOING ON.

10:44AM 16 HE MENTIONS THAT HE WANTS TO DO THE COOKING NOT ONCE
10:44AM 17 BUT TWICE. HE WANTS TO GET RID OF THE FOOTBALLS.

10:44AM 18 AND WHEN HE'S TALKING TO RAMIRO CAZARES, HE SAYS,
10:44AM 19 "WHAT CAN WE DO? WHAT CAN WE DO TO MOVE THOSE BALLS, TO PUT
10:44AM 20 THEM IN ANOTHER LOCATION?" CLEARLY SHOWING THAT HE IS WORKING
10:44AM 21 WITH RAMIRO CAZARES AND THEY'RE ALL WORKING FOR PRIMO.

10:44AM 22 IN THE CALL, CAZARES SAYS, YOU KNOW, HE HASN'T HEARD
10:44AM 23 FROM PRIMO. AND THEN I THINK ALSO IN THAT CALL HE--RAMIRO
10:44AM 24 CAZARES ASKS JUAN CARLOS VEGA, "HAVE YOU HEARD FROM HIM?"
10:44AM 25 HE GOES, "NO, MAN, I HAVEN'T HEARD FROM HIM."

10:45AM 1 SHOWING HE ALSO HAS A DIRECT CONNECTION TO PRIMO.

10:45AM 2 RAMIRO SAYS, YOU KNOW, HE NEEDS TO TAKE OUT THE
10:45AM 3 BALLS. AND THEN VEGA VOLUNTEERS TO GO TAKE THE BALLS OUT AND
10:45AM 4 LOOK FOR ANOTHER LOCATION.

10:45AM 5 THEN YOU HEARD FROM AGENT MATA THAT AFTER THE
10:45AM 6 SURVEILLANCE WAS SET UP AT JUAN CARLOS VEGA'S RESIDENCE,
10:45AM 7 HE MOVES THE HONDA, THAT THEY FOLLOW HIM TO CVS WHERE HE'S
10:45AM 8 ENCOUNTERED THERE. THEY TELL HIM, YOU KNOW, WHAT'S GOING ON.
10:45AM 9 AND JUAN CARLOS VEGA AGREES TO COOPERATE. AND DURING HIS
10:45AM 10 ADMISSION OF GUILT TO AGENT MATA, JUAN CARLOS VEGA ACKNOWLEDGES
10:45AM 11 THAT HE KNEW RAMIRO CAZARES. HE SAID THAT HE KNEW RAMIRO
10:45AM 12 CAZARES WORKED FOR PRIMO. HE ADMITTED KNOWING THAT CAZARES WAS
10:45AM 13 INVOLVED IN DRUG ACTIVITIES, AND THAT HE ASSISTED IN PICKING UP
10:45AM 14 MONEY ON TWO OCCASIONS WITH CAZARES--OR FOR CAZARES AND PRIMO.
10:45AM 15 IT WAS \$30,000 EACH TIME THAT HE PICKED UP ON THOSE TWO
10:46AM 16 OCCASIONS. AND THAT HE KNEW THAT CAZARES HAD TAKEN, HE
10:46AM 17 SAID, APPROXIMATELY 7,000--I'M SORRY, SEVEN KILOGRAMS OF
10:46AM 18 METHAMPHETAMINE TO A HOUSE IN GRAND PRAIRIE, AND THAT'S THE
10:46AM 19 BRITON COURT HOUSE.

10:46AM 20 VEGA TELLS AGENT MATA THAT THE METHAMPHETAMINE WAS
10:46AM 21 STORED IN A BASKET IN AN UPSTAIRS BEDROOM. I ASK YOU, LADIES
10:46AM 22 AND GENTLEMEN: HOW ON EARTH IS HE GONNA KNOW WHERE THE
10:46AM 23 FOOTBALLS OF METHAMPHETAMINE ARE STORED IN THE LAUNDRY BASKET
10:46AM 24 IF HE WASN'T THERE AND EITHER HELPED CAZARES PUT THEM THERE OR
10:46AM 25 PUT THEM THERE HIMSELF?

10:46AM 1 VEGA TOLD AGENT MATA THAT THE BLACK HONDA HAD BEEN
10:46AM 2 LOANED TO HIM BY CAZARES. AND INITIALLY MR. VEGA DENIED HAVING
10:46AM 3 THE KEYS TO THE HONDA ACCORD. BUT RECALL, SURVEILLANCE HAD
10:46AM 4 SEEN DEFENDANT VEGA DRIVING THE BLACK HONDA ACCORD AWAY FROM
10:46AM 5 HIS RESIDENCE. AND LATER JUAN CARLOS VEGA ADMITTED TO HIDING
10:47AM 6 THE KEYS IN A SPEAKER BOX INSIDE THE LIVING ROOM OF HIS
10:47AM 7 APARTMENT. AND AGENTS FOUND THE KEYS TO THAT HONDA IN THAT
10:47AM 8 SPEAKER BOX. AND JUAN CARLOS VEGA ADMITTED HE KNEW THE HONDA
10:47AM 9 CONTAINED A HIDDEN TRAP COMPARTMENT. AND THAT ONCE HE HEARD
10:47AM 10 THAT CAZARES WAS ARRESTED, HE THREW AWAY THE CELL PHONE THAT
10:47AM 11 HE HAD BEEN USING.

10:47AM 12 JUAN CARLOS VEGA'S ACTIVITIES, HIS ACTIONS DURING
10:47AM 13 THIS WHOLE THING, AFTER FINDING OUT CAZARES WAS ARRESTED OR
10:47AM 14 DISTANCING HIMSELF FROM THE TRAP VEHICLE, HE MOVES THE TRAP
10:47AM 15 VEHICLE, HE THROWS AWAY THE PHONE, HE HIDES THE KEY IN THE
10:47AM 16 SPEAKER BOX. THESE, LADIES AND GENTLEMEN, ARE EVIDENCE--IT'S
10:47AM 17 CALLED "CONSCIOUSNESS OF GUILT." IT'S HOW A GUILTY PERSON
10:47AM 18 ACTS. AND I SUBMIT TO YOU THAT DEFENDANT VEGA'S ACTIONS IN
10:47AM 19 JUST DOING THESE FEW THINGS SHOW CONSCIOUSNESS OF GUILT. ALSO
10:48AM 20 HIS ADMISSION TO AGENT MATA DURING HIS CONVERSATION WITH HIM.

10:48AM 21 NOW, LADIES AND GENTLEMEN, I ANTICIPATE THAT DEFENSE
10:48AM 22 COUNSEL, AS MOST DEFENSE COUNSEL DO IN CONSPIRACY CASES,
10:48AM 23 THEY'RE GONNA ARGUE SEVERAL THINGS. ONE OF THE THINGS THAT
10:48AM 24 THEY MAY ARGUE IS THAT "MY GUY IS NOT PART OF THIS CONSPIRACY,"
10:48AM 25 THAT HE'S PART OF SOME OTHER CONSPIRACY. WELL, LADIES AND

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10:48AM 1 GENTLEMEN, WHAT I ASK YOU TO DO IS REMEMBER ALL THE TESTIMONY
10:48AM 2 THAT I JUST WENT OVER, WHICH SHOWS THAT EACH AND EVERY ONE OF
10:48AM 3 THESE DEFENDANTS IS A MEMBER OF THIS CONSPIRACY--OF THIS
10:48AM 4 CONSPIRACY TO DISTRIBUTE THIS METHAMPHETAMINE IN THE SHERMAN
10:48AM 5 AND DENISON AREA.

10:48AM 6 ANOTHER COMMON ARGUMENT IS THAT THE WITNESSES
10:48AM 7 WE PRESENTED TO YOU, THE COCONSPIRATORS, THEY'RE ALL LIARS.
10:48AM 8 THEY'RE ALL COMING IN HERE, TAKING THE STAND, AND THEY'RE LYING
10:48AM 9 TO YOU IN ORDER TO GET A BETTER DEAL, THAT THEY'LL SAY ANYTHING
10:49AM 10 OR DO ANYTHING TO GET BACK HOME TO THEIR FAMILIES. THIS IS A
10:49AM 11 COMMON ARGUMENT. BUT, LADIES AND GENTLEMEN, KEEP IN MIND THAT
10:49AM 12 WE SHOWED YOU THOSE PLEA AGREEMENTS, ALL THE RESTRICTIONS IN
10:49AM 13 THOSE PLEA AGREEMENTS, AD NAUSEAM. WE WENT OVER IT AND OVER
10:49AM 14 IT AND OVER IT TO SHOW YOU THAT IF THESE DEFENDANTS OR
10:49AM 15 COCONSPIRATORS COME IN HERE AND LIE TO YOU, THEY'RE LOOKING
10:49AM 16 AT MORE CHARGES, PERJURY, OBSTRUCTION OF JUSTICE POTENTIALLY.
10:49AM 17 AND AS YOU HEARD ONE OF THE WITNESSES--WELL, SEVERAL OF THE
10:49AM 18 WITNESSES SAY THEY'RE NOT TRYING TO GET INTO ANY MORE TROUBLE.
10:49AM 19 SO KEEP ALL OF THAT IN MIND AND DON'T GO DOWN THAT RABBIT TRAIL
10:49AM 20 THAT THEY'RE JUST DOING THIS TO GET A SENTENCE REDUCTION, OR
10:49AM 21 WHATEVER DEFENSE COUNSEL BRINGS UP.

10:49AM 22 AS YOU'LL SEE IN THE JURY INSTRUCTIONS, THE ONES THE
10:49AM 23 JUDGE JUST READ TO YOU, THE TESTIMONY OF ACCOMPLICES IS PROPER
10:49AM 24 AT ALL TIMES, AND YOU CAN CONSIDER THAT ALONE. I THINK IT ALSO
10:49AM 25 SAYS IN THERE THAT THE PLEA-BARGAINING THAT HAS OCCURRED WITH

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1691

10:50AM 1 THESE ACCOMPLICES, THESE COCONSPIRATORS, IS PROPER AND IT'S
10:50AM 2 LAWFUL AND BEFORE THE COURT. SO KEEP ALL OF THAT IN MIND AS
10:50AM 3 YOU DELIBERATE.

10:50AM 4 AND, LADIES AND GENTLEMEN, AFTER I FINISH SPEAKING
10:50AM 5 WITH YOU, DEFENSE COUNSEL WILL SPEAK TO YOU. AND I ASK YOU TO
10:50AM 6 REMEMBER ALL OF THE TESTIMONY THAT I WENT THROUGH, THE RABBIT
10:50AM 7 TRAILS THAT I JUST ASKED YOU NOT TO FOLLOW. AND AFTER YOU
10:50AM 8 DELIBERATE, I ASK YOU TO FIND EACH AND EVERY ONE OF THESE
10:50AM 9 DEFENDANTS--RENE SALAZAR, TIMOTHY BOWEN AND JUAN CARLOS VEGA--
10:50AM 10 GUILTY OF THE DISTRIBUTION OF METHAMPHETAMINE.

10:50AM 11 THANK YOU.

10:50AM 12 THE COURT: ALL RIGHT. THANK YOU, MS. BATSON.

10:50AM 13 MR. KEMP.

10:50AM 14 CLOSING STATEMENT ON BEHALF OF THE DEFENDANT RENE SALAZAR

10:50AM 15 MR. KEMP: THANK YOU, YOUR HONOR. MAY IT PLEASE THE
10:50AM 16 COURT.

10:50AM 17 COUNSEL.

10:50AM 18 LADIES AND GENTLEMEN OF THE JURY: GOOD MORNING.

10:50AM 19 THIS IS AN IMPORTANT DAY TODAY. FIRST AND FOREMOST,
10:51AM 20 ON BEHALF OF EVERYBODY HERE AT THE DEFENSE TABLE, BUT
10:51AM 21 SPECIFICALLY MR. SALAZAR AND MYSELF, I WANT TO THANK YOU FOR
10:51AM 22 YOUR ATTENTIVENESS THROUGHOUT THIS PROCESS. AND I KNOW THAT
10:51AM 23 YOU'VE BEEN CAREFULLY PAYING ATTENTION, TAKING NOTES, EACH
10:51AM 24 OF YOU HAVE A NOTEPAD TODAY, AND THAT YOU'VE BEEN LISTENING
10:51AM 25 THROUGHOUT THIS TRIAL TO ALL OF THE WITNESSES AND EVERYTHING

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1692

10:51AM 1 **EVERYBODY HAS TO SAY. AND I THANK YOU IN ADVANCE FOR THE**
10:51AM 2 **CAREFUL DELIBERATION OF ALL THE FACTS OF THIS CASE THAT YOU ARE**
10:51AM 3 **ABOUT TO START DURING YOUR DELIBERATION PROCESS AFTER CLOSING**
10:51AM 4 **ARGUMENTS HERE.**

10:51AM 5 **NOW, I WANT YOU TO REMEMBER BACK TO THE VOIR DIRE**
10:51AM 6 **PROCESS AND ALSO WHEN WE MADE OUR FIRST OPENING ARGUMENTS.**
10:51AM 7 **YOU KNOW, WE DISCUSSED THAT THE BURDEN OF PROOF IN THIS CASE**
10:51AM 8 **IS "BEYOND A REASONABLE DOUBT." IT'S NOT UP TO THAT LINE, BUT**
10:51AM 9 **THE GOVERNMENT HAS TO PROVE EACH AND EVERY ELEMENT BEYOND A**
10:51AM 10 **REASONABLE DOUBT. NOW, OBVIOUSLY, THAT'S A VERY HIGH STANDARD.**
10:51AM 11 **IN FACT, IT'S THE HIGHEST BURDEN OF PROOF THAT WE HAVE IN OUR**
10:52AM 12 **JUSTICE SYSTEM AS IT'S SET UP TODAY. AND MIND YOU THAT THAT**
10:52AM 13 **BURDEN OF PROOF IS SQUARELY ON THE GOVERNMENT'S SHOULDERS;**
10:52AM 14 **IT NEVER SHIFTED THROUGHOUT THIS CASE. I KNOW THAT YOU HEARD**
10:52AM 15 **MULTIPLE TIMES DURING THE VOIR DIRE PROCESS THAT WE DO NOT**
10:52AM 16 **HAVE A REQUIREMENT TO ACTUALLY PUT ON ANY TESTIMONY, THAT**
10:52AM 17 **THE GOVERNMENT HAS TO PROVE TO YOU BEYOND A REASONABLE DOUBT.**
10:52AM 18 **AND AS I SAID, THAT IS SOMETHING THAT SQUARELY LIES ON THEIR**
10:52AM 19 **SHOULDERS.**

10:52AM 20 **NOW, IN THE OPENING PART OF THIS TRIAL, I SPOKE TO**
10:52AM 21 **YOU AND GAVE YOU A LITTLE BIT OF AN EXAMPLE ABOUT KIND OF A**
10:52AM 22 **CAT-AND- MOUSE STORY. AND HOPEFULLY YOU'LL ALL REMEMBER THE**
10:52AM 23 **FACT THAT THE CAT WAS IN THE BOX AND IT WAS WRAPPED UP AND IT**
10:52AM 24 **WAS TAPE D. AND THE TWO DIFFERENT VERSIONS OF THAT STORY I GAVE**
10:52AM 25 **YOU, THEY WERE VERY SIMILAR. REALLY, IT WAS IN THE MINUTE**

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1693

10:52AM 1 DETAIL THAT THAT STORY TURNED ON. AND THAT'S WHAT I ASKED YOU
10:52AM 2 TO TAKE A LOOK AT DURING THE COURSE OF THIS CASE, THE MINUTE
10:52AM 3 DETAILS THAT THE WITNESSES PUT THERE. THE BASIC FACTS THAT
10:53AM 4 EVERYBODY GIVES ARE VERY--ARE VERY SIMILAR, BUT, YOU KNOW,
10:53AM 5 REMEMBER THE INSTRUCTION THAT YOU HEARD FROM THE COURT THAT THE
10:53AM 6 MERE FACT THAT CERTAIN PERSONS MAY HAVE ASSOCIATED WITH EACH
10:53AM 7 OTHER, MAY HAVE ASSEMBLED TOGETHER AND DISCUSSED COMMON AIMS
10:53AM 8 AND INTERESTS DOES NOT NECESSARILY ESTABLISH PROOF OF THE
10:53AM 9 EXISTENCE OF A CONSPIRACY.

10:53AM 10 NOW, THROUGHOUT THE COURSE OF THIS CASE, YOU HEARD
10:53AM 11 FROM 29 DIFFERENT WITNESSES. OBVIOUSLY, THERE ARE A LOT OF
10:53AM 12 MOVING PARTS TO THIS STORY. I MEAN, YOU ESSENTIALLY HAVE
10:53AM 13 THREE TRIALS GOING ON AT THE SAME TIME.

10:53AM 14 AND I KNOW THAT THE MENTIONING OF ALL KINDS OF
10:53AM 15 NUMBERS AND MATH CONVERSIONS THAT YOU PROBABLY THOUGHT YOU LEFT
10:53AM 16 WHEN YOU GOT OUT OF SCHOOL, SOMETIMES SOME OF THESE THINGS CAN
10:53AM 17 BE VERY CONFUSING. BUT HOPEFULLY AND UNDOUBTEDLY IT'S BEEN A
10:53AM 18 LEARNING EXPERIENCE FOR YOU, AND I HOPE THAT YOU HAVE ENJOYED
10:53AM 19 IT TO THIS POINT.

10:53AM 20 NOW, THE BEAUTY OF OUR SYSTEM THE WAY IT'S SET
10:53AM 21 UP, AFTER YOU'VE HEARD FROM THESE 29 WITNESSES AND THE
10:54AM 22 ARGUMENTS FROM THE GOVERNMENT AND OUR SIDE, NOW IT'S YOUR
10:54AM 23 TURN. IT'S YOUR TURN TO DELIBERATE. WE'RE GONNA HAND THIS
10:54AM 24 CASE OVER TO YOU SO THAT YOU CAN REVIEW ALL THE FACTS OF THIS
10:54AM 25 CASE.

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1694

10:54AM 1 NOW, LET'S GO THROUGH BRIEFLY ALL THE FACTS OR ALL
10:54AM 2 THE WITNESSES. THIS CASE BEGAN WITH DEA AGENT--SPECIAL AGENT
10:54AM 3 JOE MATA. NOW, HE TOLD YOU THAT HIS FIRST INTERACTION IN THIS
10:54AM 4 CASE ACTUALLY BEGAN IN FEBRUARY--EXCUSE ME, IN THE FALL OF
10:54AM 5 2011 WITH HIS IN-PERSON MEETINGS WITH SOME OF THE LOCAL LAW
10:54AM 6 ENFORCEMENT AGENCIES, LIKE SHERMAN P.D., DENISON P.D., IN 2011.
10:54AM 7 IF YOU REMEMBER THE INDICTMENT, IT ALLEGES THAT THIS CONDUCT
10:54AM 8 TOOK PLACE FROM 2008 ALL THE WAY UP UNTIL APRIL OF 2012.
10:54AM 9 SO, OBVIOUSLY, THAT'S A LARGE TIME INVESTMENT HERE. IN FACT,
10:54AM 10 FOR THOSE OF YOU WHO HAVE KIDS, THAT'S A LARGER AMOUNT OF TIME
10:54AM 11 SPAN THAN THE AMOUNT OF TIME YOUR KIDS WILL SPEND IN HIGH
10:54AM 12 SCHOOL. IT COVERS A LARGE NUMBER OF PEOPLE AND A LARGE NUMBER
10:54AM 13 OF EVENTS.

10:55AM 14 NOW, YOU HEARD THAT SPECIAL AGENT JOE MATA--HE
10:55AM 15 DESCRIBED THAT AS A MEMBER OF THE DEA--OR AS AN AGENT OF THE
10:55AM 16 DEA, HE HAS THE ABILITY TO CONDUCT WIRETAPS, UNDERCOVER BUYS,
10:55AM 17 AUDIO SURVEILLANCE, VIDEO SURVEILLANCE. I FOUND IT IRONIC
10:55AM 18 THAT WHEN THEY HAVE THAT CAPABILITY THAT YOU HEARD IN HIS OWN
10:55AM 19 TESTIMONY THAT DURING THE COURSE OF THE SEARCH OF ONE OF THE
10:55AM 20 RESIDENCES, HE DIDN'T EVEN HAVE A CAMERA, BUT YET YOU HAVE
10:55AM 21 ALL OF THESE DIFFERENT THINGS--THESE DIFFERENT TECHNOLOGICAL
10:55AM 22 ADVANCES THAT ARE AVAILABLE TO YOU.

10:55AM 23 NOW, THROUGHOUT THE COURSE OF THIS TRIAL, UNDOUBTEDLY
10:55AM 24 YOU NOTICED ALL OF THE EVIDENCE THAT WAS HERE AMASSED ON THIS
10:55AM 25 FRONT BENCH HERE. NOW, IF YOU THINK BACK, HOW MUCH OF THAT

1695

10:55AM 1 PHYSICAL EVIDENCE WAS SEIZED FROM RENE SALAZAR? NONE OF IT.
10:56AM 2 YOU NEVER HEARD ONE WITNESS SAY THAT THERE WAS ANY KIND OF
10:56AM 3 SEIZURE OR ANYTHING LIKE THAT THAT DEALT WITH RENE SALAZAR.
10:56AM 4 HOW MANY PHONE INTERCEPTS DID THEY HAVE ON RENE
10:56AM 5 SALAZAR TALKING ABOUT THESE TRANSACTIONS? NONE. IN FACT, AT
10:56AM 6 ONE POINT YOU EVEN HEARD THAT I THINK IT WAS CHARLES QUIROLO
10:56AM 7 WAS MESSING UP THE MONEY AND THAT SOMEHOW WHILE RENE SALAZAR
10:56AM 8 WAS IN STATE CUSTODY, HE WAS ORCHESTRATING THE CONSPIRACY FROM
10:56AM 9 BEING ARRESTED.
10:56AM 10 NOW, I'M NOT SURE HOW MANY OF YOU HAVE EVER MADE A
10:56AM 11 CALL TO THE JAIL, BUT EACH TIME YOU CALL, IT TELLS YOU THAT
10:56AM 12 YOU MAY BE RECORDED. HOW MANY RECORDINGS DID WE HEAR OF RENE
10:56AM 13 SALAZAR BEING IN CUSTODY, TELLING PEOPLE WHAT TO DO IN THIS
10:56AM 14 CONSPIRACY? NONE.
10:56AM 15 NOW, IN FACT, THIS CASE IS BASED ON THE RELIANCE
10:57AM 16 OF STATEMENTS MADE BY BOBBY JAMES AND KENNETH HOUSE.
10:57AM 17 NOW, WHERE DOES THIS CASE KIND OF REALLY START?
10:57AM 18 OBVIOUSLY, YOU'VE SEEN THE HIERARCHY AND THE WAY IT GOES.
10:57AM 19 AND A LOT OF THIS PRODUCT HAS BEEN ALLEGED TO HAVE COME FROM
10:57AM 20 MEXICO, FROM PRIMO, BUT, REALLY, FOR THIS CASE, THE MAJOR
10:57AM 21 PLAYER IN THIS CASE IS ANDY NGUYEN.
10:57AM 22 AND YOU HEARD FROM ANDY NGUYEN. LIVING THE HIGH
10:57AM 23 LIFE. LIVING ON THE 12TH FLOOR OF A LOFT APARTMENT ACROSS
10:57AM 24 FROM NORTHPARK MALL, AND HE'S GOT ALL KINDS OF CARS, LIKE A
10:57AM 25 RANGE ROVER, VERSACE WATCHES, ROLEX WATCHES, HE'S GOT STACKS

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1696

10:57AM 1 OF CASH, CURRENCY, THAT WERE AT HIS OWN RESIDENCE THAT HIS OWN
10:57AM 2 WIFE DIDN'T EVEN KNOW ABOUT.

10:57AM 3 NOW, HE TESTIFIED THAT--ALTHOUGH HE PROBABLY HAD
10:57AM 4 MANY OTHER PEOPLE HE WAS DISTRIBUTING TO, THE PRIMARY PERSON
10:57AM 5 INVOLVED IN THIS CASE WAS MIKE CAMACHO; SUBSEQUENTLY, SOMETIMES
10:57AM 6 PRISCILLA CAMACHO. BUT IF YOU PAID ATTENTION TO WHAT HE SAID,
10:57AM 7 HE TOLD YOU THAT IT WAS BASICALLY A BUSINESS POLICY OF HIS THAT
10:58AM 8 HE WASN'T GOING TO TALK TO ANY OF MIKE CAMACHO'S CUSTOMERS,
10:58AM 9 THAT HE WASN'T GOING TO ASK ABOUT WHO THEIR CUSTOMERS WERE
10:58AM 10 AND THINGS LIKE THIS, BUT YET HE IDENTIFIED RENE SALAZAR.

10:58AM 11 WELL, WHEN ASKED HOW HE KNEW WHO RENE SALAZAR WAS,
10:58AM 12 HE ACTUALLY TOLD YOU THAT HE HAD NEVER MET HIM, THAT THE FIRST
10:58AM 13 TIME THAT HE HAD EVER SEEN RENE SALAZAR WAS WHEN HE WAS ALREADY
10:58AM 14 ARRESTED AND HE WAS BEING TRANSPORTED TO THE FANNIN COUNTY
10:58AM 15 JAIL. BUT YET HE MADE THE ALLEGATION INITIALLY THAT RENE
10:58AM 16 SALAZAR CAME TO THIS LOFT APARTMENT COMPLEX ON PARK LANE
10:58AM 17 AND THAT HE WAS THERE TO PICK UP METHAMPHETAMINES WITH MIKE
10:58AM 18 CAMACHO.

10:58AM 19 MIND YOU, HE DIDN'T GO DOWN THERE. SO WHO DID HE
10:58AM 20 SEND? WELL, HE SENT ONE OF HIS EMPLOYEES. SPECIFICALLY, IN
10:58AM 21 THIS INSTANCE, HE SENT MANUEL URBINA. NOW, MANUEL URBINA CAME
10:58AM 22 IN AND HE TOLD YOU THAT MOST DEFINITELY RENE SALAZAR, THAT'S
10:58AM 23 THE PERSON THAT CAME. AND THEY KNEW HIM BY NAME. BUT WHEN
10:59AM 24 ASKED BY THE GOVERNMENT, IF YOU RECALL, MANUEL URBINA HAD A
10:59AM 25 DIFFICULT TIME ACTUALLY PICKING RENE SALAZAR OUT OF OUR TABLE.

10:59AM 1 YOU RECALL HE HAD TO STAND UP AND LOOK AROUND. AND HE HAD A
10:59AM 2 LOT OF HESITATION WHEN HE ACTUALLY TRIED TO PICK HIM OUT. WHY
10:59AM 3 DID HE DO THAT? WELL, YOU HEARD MANUEL URBINA EXPLAIN THE WAY
10:59AM 4 HE ACTUALLY DID THIS. HE WOULD GO DOWNSTAIRS, HE WOULD GO INTO
10:59AM 5 A PARKING GARAGE, IT'S SOMETHING HE WOULDN'T SPEND A LOT OF
10:59AM 6 TIME WITH, HE WOULD JUST BASICALLY WALK UP TO THE DRIVER'S SIDE
10:59AM 7 DOOR. REMEMBER, ANDY NGUYEN SAID IT'S BASICALLY COMPANY POLICY
10:59AM 8 FOR HIM NOT TO BE QUESTIONING WHO IS WITH MIKE CAMACHO, WHO HIS
10:59AM 9 CUSTOMERS ARE, OR INTERACTING WITH THEM IN ANY KIND OF WAY. IF
10:59AM 10 THAT'S THE CASE, THEN EXACTLY HOW DID HE KNOW WHO RENE SALAZAR
10:59AM 11 WAS?

10:59AM 12 MANUEL URBINA UNDOUBTEDLY KNOWS THAT HIS BOSS, ANDY
11:00AM 13 NGUYEN, HAS RECEIVED A 324-MONTH SENTENCE. 27 YEARS. NOW,
11:00AM 14 CERTAINLY MANUEL URBINA READILY ADMITS, AMONG OTHERS, THAT
11:00AM 15 HE CERTAINLY DOES NOT WANT TO SPEND MOST OF HIS ADULT LIFE IN
11:00AM 16 PRISON EITHER. SO HE'S CERTAINLY GOING TO DO WHATEVER HE CAN
11:00AM 17 DO TO TRY TO HELP THE GOVERNMENT IN THE FURTHERANCE OF THEIR
11:00AM 18 INVESTIGATION AND THE PROSECUTION OF ANYBODY THAT HE COULD.

11:00AM 19 NOW, WITH RESPECT TO MIKE CAMACHO, WE KNOW THAT MIKE
11:00AM 20 CAMACHO WAS RECEIVING HIS NARCOTICS, OR HIS METHAMPHETAMINES,
11:00AM 21 FROM ANDY NGUYEN. NOW, MIKE CAMACHO AND RENE SALAZAR WERE
11:00AM 22 FRIENDS. YOU HEARD THAT FROM HIM AND YOU HEARD THAT FROM MANY
11:00AM 23 PEOPLE. AND A LOT OF THESE PEOPLE IN THIS CASE ARE FRIENDS.
11:00AM 24 MIKE CAMACHO EVEN TOLD YOU THAT HE AND HIS WIFE, ALONG WITH
11:00AM 25 RENE SALAZAR AND ANDREA REEVES, HUNG OUT SOCIALLY TOGETHER,

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1698

11:00AM 1 THEY BARBECUED TOGETHER, THEY WENT UP TO CHOCTAW CASINO IN
11:01AM 2 DURANT TOGETHER. THIS IS SOME OF THE TESTIMONY THAT YOU
11:01AM 3 ACTUALLY HEARD.

11:01AM 4 NOW, BECAUSE THEY WERE FRIENDS AND BECAUSE HE WAS
11:01AM 5 AROUND, MIKE CAMACHO HAD THE OPPORTUNITY TO MEET MORE THAN A
11:01AM 6 FEW PEOPLE IN THE SHERMAN-DENISON AREA. I MEAN, YOU KNOW, HE
11:01AM 7 MET TREY TIBBS, FOR INSTANCE. NOW, MIKE CAMACHO NEVER TOLD
11:01AM 8 YOU THAT TREY TIBBS WAS WORKING FOR RENE SALAZAR. QUITE THE
11:01AM 9 CONTRARY, HE TOLD YOU HE WAS WORKING FOR KENNETH HOUSE. BUT
11:01AM 10 HE SAW TREY TIBBS.

11:01AM 11 HE TOLD YOU THAT HE'D ALSO MET MELISSA STEWART
11:01AM 12 THROUGH RENE SALAZAR. AND SUBSEQUENTLY MELISSA STEWART
11:01AM 13 CONFIRMED THAT. BUT IF YOU REMEMBER WHAT MELISSA STEWART
11:01AM 14 SAID, SHE DIDN'T SAY THAT RENE SALAZAR INTRODUCED HER TO MIKE
11:01AM 15 CAMACHO, "HEY, THIS IS MY METHAMPHETAMINE SOURCE OF SUPPLY."
11:01AM 16 SHE DIDN'T GIVE A REASON WHY THEY INTRODUCED--THEY WERE
11:01AM 17 INTRODUCED. THEY JUST WERE BECAUSE THEY WERE ALL HANGING OUT
11:01AM 18 IN THE SAME GENERAL AREA.

11:01AM 19 NOW, YOU'LL HEAR--YOU WILL RECALL THAT RENE SALAZAR
11:02AM 20 DID RECEIVE SOME SMALL AMOUNTS INITIALLY FROM MIKE CAMACHO.
11:02AM 21 AND HE RECEIVED THOSE DIRECTLY. BUT MIKE CAMACHO, HE'S A
11:02AM 22 BROKER. RIGHT? AND HE'S LOOKING FOR THE BIG DEAL. I MEAN,
11:02AM 23 HE'S NOT GOING TO BE OUT THERE DOING THINGS ON HIS OWN.
11:02AM 24 INSTEAD, HE'S USING PRISCILLA CAMACHO TO DO MOST OF THE
11:02AM 25 DELIVERIES FOR HIM.

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1699

11:02AM 1 NOW, MIKE CAMACHO TESTIFIED THAT HE DISTRIBUTED,
11:02AM 2 EITHER HIMSELF OR THROUGH PRISCILLA, APPROXIMATELY 58 POUNDS
11:02AM 3 OF METHAMPHETAMINE. HE ACTUALLY TOLD YOU THAT MORE THAN
11:02AM 4 THREE-FOURTHS OF THAT AMOUNT WAS TO KENNETH HOUSE ALONE. WHO
11:02AM 5 ARE THE OTHER CUSTOMERS THAT MIKE CAMACHO HAD UP THERE? IF YOU
11:02AM 6 REMEMBER, BEGINNING THE SUMMER OF 2010 ALL THE WAY UP THROUGH
11:02AM 7 MIKE CAMACHO'S ARREST IN JANUARY OF 2012 THERE WERE A NUMBER
11:03AM 8 OF AGREEMENTS THAT HE SET UP, THERE WERE A NUMBER OF DEALS THAT
11:03AM 9 HE BROKERED.

11:03AM 10 HE STARTED OUT WITH KENNETH HOUSE, OBVIOUSLY.
11:03AM 11 THREE-FOURTHS OF THAT WOULD 58 POUNDS IS KENNETH HOUSE'S. NOW,
11:03AM 12 AT SOME POINT, WHEN KENNETH HOUSE WAS ARRESTED, RENE SALAZAR
11:03AM 13 WAS ALSO ALREADY INCARCERATED, HE HAD SOME SORT OF SEPARATE
11:03AM 14 AGREEMENT WITH CHARLES QUIROLO.

11:03AM 15 SUBSEQUENT TO THAT, WHEN HE FIGURED OUT THAT THINGS
11:03AM 16 WEREN'T REALLY WORKING WELL WITH CHARLES QUIROLO, WHAT DID MIKE
11:03AM 17 CAMACHO DO? WELL, HE STARTED WORKING INDEPENDENTLY WITH TREY
11:03AM 18 TIBBS, BOBBY JAMES, MELISSA STEWART. SO THESE ARE THE DEALS
11:03AM 19 THAT MIKE CAMACHO IS BROKERING.

11:03AM 20 RENE SALAZAR IS ALREADY IN CUSTODY AT THIS POINT.
11:03AM 21 SO HE'S CLEARLY NOT BROKERING THESE DEALS.

11:03AM 22 NOW, THROUGH THE COURSE OF THIS TRIAL, YOU HEARD
11:03AM 23 THAT PRISCILLA CAMACHO, MIKE'S SISTER, STARTED WORKING FOR HIM,
11:03AM 24 STARTED DOING DELIVERIES FOR HIM. YOU RECALL THAT INITIALLY
11:04AM 25 WHEN SHE STARTED DOING HER DELIVERIES, EVERYTHING WAS WRAPPED

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1700

11:04AM 1 UP; SHE DIDN'T EVEN KNOW WHAT IT WAS. SHE COULDN'T TELL YOU
11:04AM 2 HOW MUCH IT WAS. SHE DIDN'T KNOW. ALL SHE WAS DOING WAS
11:04AM 3 MAKING THESE DELIVERIES SO THAT SHE COULD MAKE SOME MONEY FOR
11:04AM 4 ENDS TO MEET.

11:04AM 5 NOW, SHE READILY ADMITS THAT ANDREA REEVES SOMETIMES
11:04AM 6 WAS AT RENE SALAZAR'S HOUSE. AT THAT TIME, SHE WASN'T DEALING
11:04AM 7 WITH ANDREA REEVES AT ALL.

11:04AM 8 SHE ALSO TELLS YOU THAT SHE MET CHRISTINA HOUSE
11:04AM 9 NUMEROUS TIMES. WHAT I FIND INTERESTING IS THAT ONCE MIKE
11:04AM 10 CAMACHO WAS ARRESTED, THIS WAS PRISCILLA CAMACHO'S OPPORTUNITY
11:04AM 11 SO THAT SHE COULD DEVELOP HER OWN CLIENT BASE. RIGHT? BUT
11:04AM 12 DOES THAT REALLY MAKE SENSE? MIKE CAMACHO IS ARRESTED IN
11:04AM 13 JANUARY OF 2012. AND WHEN PRISCILLA CAMACHO WAS ARRESTED,
11:04AM 14 YOU RECALL SHE WAS STAYING AT MIKE CAMACHO'S RESIDENCE. SHE
11:04AM 15 WAS LIVING THERE. AND ONE OF THE PICTURES THAT YOU SAW IN
11:05AM 16 GOVERNMENT'S EXHIBIT 6, I BELIEVE IT WAS PICTURE 2, WAS A
11:05AM 17 LEDGER SHEET THAT PRISCILLA CAMACHO READILY ADMITTED WAS HERS.
11:05AM 18 IT HAS THE NAMES "ANDREA, SHANNON, MARANDA." THIS IS ANDREA
11:05AM 19 REEVES, THIS IS MELISSA STEWART, THIS IS SHANNON ASKEW. NOW,
11:05AM 20 SHE WANTS US TO BELIEVE THAT ONLY AFTER MIKE GOT ARRESTED DID
11:05AM 21 SHE DEVELOP AN INDEPENDENT CLIENT BASE WITH ALL OF THE FEMALES
11:05AM 22 THAT SHE HAD MET DURING THE COURSE OF HER RUNNING UP NORTH,
11:05AM 23 MAKING DELIVERIES FOR HER BROTHER, KENNETH HOUSE AND SOME OF
11:05AM 24 THE OTHER PLAYERS HERE. NOW, WHY WOULD SHE SAY THAT?

11:05AM 25 FURTHERMORE, SHE TOLD YOU THAT SHE ACTUALLY LEARNED

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1701

11:05AM 1 PEOPLE'S NAMES FOR THE FIRST TIME AFTER EVERYBODY WAS ARRESTED,
11:05AM 2 AFTER SHE READ IT ON THE INDICTMENT LIST. WELL, WHY DO YOU
11:05AM 3 THINK IT'S IMPORTANT FOR HER TO LEARN PEOPLE'S NAMES NOW THAT
11:06AM 4 SHE'S ARRESTED?

11:06AM 5 WHAT ABOUT THE OTHER WING? WE HAD MIKE CAMACHO ON
11:06AM 6 ONE SIDE; WE HAD FERNANDO PERALES ON THE OTHER SIDE. NOW,
11:06AM 7 FERNANDO PERALES TOLD YOU THAT HE MET HOUSE THROUGH SOME LADY
11:06AM 8 NAMED AMANDA, IN GUNTER. OBVIOUSLY, YOU NEVER GOT TO HEAR FROM
11:06AM 9 AMANDA. BUT SOMETIME IN 2011 KENNETH HOUSE BEGAN DEALING WITH
11:06AM 10 FERNANDO PERALES. THEY INITIALLY STARTED OUT WITH EIGHT OUNCES
11:06AM 11 AND QUICKLY WORKED THEIR WAY UP TO A POUND A WEEK. AND THAT'S
11:06AM 12 VERY CONSISTENT THAT KENNETH HOUSE WAS ALWAYS MEETING FERNANDO
11:06AM 13 PERALES. I THINK ONE TIME HE HAD BOBBY JAMES WITH HIM. A LOT
11:06AM 14 OF TIMES HE HAD HIS WIFE, CHRISTINA HOUSE, WITH HIM.

11:06AM 15 AT SOME POINT KENNETH HOUSE TELLS FERNANDO PERALES,
11:06AM 16 "I'VE GOT A PARTNER. IT'S RENE SALAZAR. YOU'RE GONNA DEAL
11:06AM 17 WITH HIM. IF I'M EVER UNAVAILABLE, THAT'S WHO YOU ARE GONNA
11:07AM 18 SEE." NOW, REMEMBER, AT THIS POINT THIS IS A RELATIONSHIP THAT
11:07AM 19 HAS DEVELOPED BETWEEN KENNETH HOUSE AND FERNANDO PERALES. AND
11:07AM 20 THEY'RE MOVING A POUND, 16 OUNCES. BUT FERNANDO PERALES TELLS
11:07AM 21 YOU THAT THE FEW TIMES THAT HE ACTUALLY DID DELIVER TO RENE
11:07AM 22 SALAZAR, FOUR OUNCES WAS THE HIGHEST AMOUNT.

11:07AM 23 SOMETHING ELSE THAT BOTHERED ME THROUGHOUT THIS
11:07AM 24 CASE, IF YOU HAVE THIS PARTNERSHIP, IF YOU ARE GONNA SEND THIS
11:07AM 25 PARTNER TO GO PICK UP METHAMPHETAMINE, WHY WOULD HE ONLY BE

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1702

11:07AM 1 ALLOWED TO PICK UP A QUARTER OF THE WEIGHT? THAT JUST NEVER
11:07AM 2 MADE SENSE TO ME. I THINK IT'S BECAUSE THERE REALLY WAS
11:07AM 3 ACTUALLY NO PARTNERSHIP BETWEEN KENNETH HOUSE AND RENE SALAZAR.
11:07AM 4 MY BELIEF IS THAT THIS IS JUST A FABRICATION OF KENNETH HOUSE
11:07AM 5 TO MANIPULATE THE FACTS TO SUIT HIS BEST INTERESTS.

11:07AM 6 NOW, WHEN KENNETH HOUSE WENT TO JAIL, YOU HEARD
11:08AM 7 TESTIMONY THAT CHRISTINA HOUSE BEGAN GOING TO PICK UP METH FROM
11:08AM 8 FERNANDO PERALES. I BELIEVE LATER IN THE TRIAL YOU ALSO HEARD
11:08AM 9 THAT CHRISTINA HOUSE ADMITTED THAT KENNETH HOUSE DIDN'T KNOW
11:08AM 10 SHE WAS DOING IT AND, IN FACT, DIDN'T WANT HER TO DO IT. BUT
11:08AM 11 NONETHELESS SHE BEGAN PICKING UP METHAMPHETAMINES FROM PERALES.
11:08AM 12 SHE DID THIS HERSELF, SOMETIMES WITH TREY TIBBS, SOMETIMES WITH
11:08AM 13 KISHA BOWEN. KEEP IN MIND THAT WHEN SHE'S DOING THIS WITH TREY
11:08AM 14 TIBBS, WHO IS TREY TIBBS? HE'S KENNETH HOUSE'S EMPLOYEE. AND
11:08AM 15 NOW HE'S GOING UP AND RUNNING WITH CHRISTINA HOUSE? IT KIND OF
11:08AM 16 SEEMS LIKE IT'S JUST THE CARRYING ON OF THE FAMILY BUSINESS, TO
11:08AM 17 ME.

11:08AM 18 BUT WE NEVER HEARD--AFTER KENNETH HOUSE WAS ARRESTED
11:08AM 19 IN JULY OF 2011, WE NEVER HEARD ANYTHING ABOUT CHRISTINA HOUSE
11:09AM 20 AND RENE SALAZAR EVER GOING TO FERNANDO PERALES'S PLACE IN
11:09AM 21 DUNCANVILLE TO PICK UP METHAMPHETAMINES, DID WE? WE NEVER
11:09AM 22 HEARD THAT.

11:09AM 23 I THOUGHT AN INTERESTING OBSERVATION IN THIS CASE
11:09AM 24 IS THAT MOST OF THE FEMALES THAT TESTIFIED CAME IN HERE IN
11:09AM 25 REGULAR CLOTHES. THEY WERE OUT ON SOME SORT OF BOND OR

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1703

11:09AM 1 PRETRIAL CONDITIONS.

11:09AM 2 NOW, WHETHER WE'RE TALKING ABOUT FERNANDO PERALES,
11:09AM 3 MIKE CAMACHO OR PRISCILLA CAMACHO DELIVERING FOR HIM, I THINK
11:09AM 4 THAT THERE'S AMPLE EVIDENCE THAT METHAMPHETAMINES WERE CERTAINLY
11:09AM 5 MOVING UP 75 UP TO THE SHERMAN-DENISON AREA. I DON'T THINK
11:09AM 6 THERE'S ANY DISPUTE ABOUT THAT.

11:09AM 7 NOW, ONE OF THE PLAYERS UP IN THE SHERMAN-DENISON
11:09AM 8 AREA WAS CHARLES QUIROLO. YOU SAW HIS PICTURE UP ON THE SCREEN
11:09AM 9 MANY TIMES. AND HE LOOKED A BIT ROUGH. HIS PICTURE WAS
11:09AM 10 PROBABLY NOT ONE OF HIS BETTER GLAMOUR SHOTS.

11:10AM 11 NOW, WHEN HE CAME IN, ON THE OTHER HAND, I THOUGHT
11:10AM 12 HE CLEANED UP PRETTY WELL. HE WAS IN A SUIT AND A TIE, AND HE
11:10AM 13 TESTIFIED THAT HE HAD BEEN CLEAN FOR SIX MONTHS, WHICH I GUESS
11:10AM 14 YOU WOULD EXPECT AFTER HE HAD BEEN SOBER SIX MONTHS THAT HE
11:10AM 15 WOULD CLEAN UP BETTER THAN HIS PICTURES INITIALLY INDICATED.
11:10AM 16 THIS IS PROBABLY A SIMILAR CHANGE THAT'S HAPPENED IN HIS MEMORY
11:10AM 17 NOW THAT HE'S BEEN CLEAN FOR SIX MONTHS. AND HE'S CERTAINLY
11:10AM 18 HERE TO DO WHATEVER HE CAN DO TO SAVE HIMSELF AS WELL. THE
11:10AM 19 GOVERNMENT WAS QUICK TO POINT OUT EVERYBODY'S BENEFIT THAT THEY
11:10AM 20 WERE RECEIVING OR THE POTENTIAL OF BENEFIT THAT THEY'RE GOING
11:10AM 21 TO RECEIVE.

11:10AM 22 NOW, IT WAS ALSO QUIROLO, YOU RECALL, WHO WAS
11:10AM 23 DEALING WITH MIKE CAMACHO IN 2011 AND I GUESS WAS MESSING UP
11:10AM 24 THE MONEY. AND THEN THIS IS WHEN--THIS IS--SOMEHOW, I GUESS,
11:10AM 25 THAT RENE SALAZAR MUST HAVE SET THIS UP WHILE HE WAS

1704

11:10AM 1 INCARCERATED THAT CHARLIE QUIROLO WAS SUPPOSED TO TAKE OVER
11:10AM 2 THE BUSINESS. BUT KEEP IN MIND THAT CHARLES QUIROLO LIVED NEXT
11:11AM 3 DOOR TO RENE SALAZAR. HE RENTED RENE--OR HE OR HIS FAMILY
11:11AM 4 RENTED RENE SALAZAR A PLACE TO LIVE. THEY SUBSEQUENTLY SOLD
11:11AM 5 ONE OF THEIR PROPERTIES TO RENE SALAZAR'S MOTHER THAT SHE STILL
11:11AM 6 LIVES IN TODAY. I MEAN, CHARLES QUIROLO HAD AMPLE OPPORTUNITY
11:11AM 7 TO MEET ANYBODY THAT ACTUALLY CAME OVER TO RENE SALAZAR'S HOUSE
11:11AM 8 ON DAY STREET.

11:11AM 9 CHARLES QUIROLO, HE CLAIMS THAT HE WAS MAKING
11:11AM 10 DELIVERIES FOR RENE SALAZAR. AND I REMEMBER SPECIFICALLY THAT
11:11AM 11 HE TESTIFIED THAT FOR A COUPLE-OF-MONTH PERIOD, PRESUMABLY JUNE
11:11AM 12 TO AUGUST OF 2011, WHEN RENE SALAZAR WAS LIVING NEXT DOOR,
11:11AM 13 THAT HE WAS DELIVERING TWO OUNCES EVERY OTHER DAY OR SO TO TREY
11:11AM 14 TIBBS, TO MELISSA STEWART, AND TO BOBBY JAMES, AND THAT HE WAS
11:11AM 15 BRINGING THE MONEY BACK TO RENE SALAZAR.

11:11AM 16 LET'S LOOK AT THESE LAST THREE. BOBBY JAMES. HE
11:12AM 17 TESTIFIED THAT HE WAS DEALING WITH A COMPLETELY DIFFERENT
11:12AM 18 CIRCLE OF FRIENDS, AND THAT FELL APART WITH THE ARREST OF MOST
11:12AM 19 OF THE PEOPLE HE WAS INVOLVED WITH. NOW HE'S LOOKING FOR A
11:12AM 20 NEW SOURCE OF SUPPLY. AND WHO DID HE FIND? KENNETH HOUSE.
11:12AM 21 HE IMMEDIATELY BEGINS WORKING FOR HIM. YOU SAW ON THE
11:12AM 22 GOVERNMENT'S SCREEN THAT HE WAS RUNNING FOR HIM, MAKING \$500
11:12AM 23 A DAY. \$500 A DAY RUNNING FOR KENNETH HOUSE AND SUPPLYING--
11:12AM 24 AND KENNETH HOUSE WAS SUPPLYING THIS EVERY DAY.

11:12AM 25 NOW, BOBBY JAMES KNEW THAT ONE OF THE OTHER RUNNERS

11:12AM 1 THAT KENNETH HOUSE WAS EMPLOYING WAS TREY TIBBS. I MEAN, TIBBS
11:12AM 2 WAS ORIGINALLY WORKING FOR HIM, AND THEN, ONCE HE GOT ARRESTED,
11:12AM 3 OBVIOUSLY, HE DIDN'T. BUT IMMEDIATELY UPON HIS ARREST IN 2011
11:12AM 4 TREY TIBBS IMMEDIATELY BEGAN WORKING AGAIN FOR KENNETH HOUSE.
11:12AM 5 HE WAS GETTING PAID \$25 EVERY QUARTER-OUNCE. NOW, HE DID
11:12AM 6 THIS THROUGH JULY OF 2011, UNTIL KENNETH HOUSE GOT ARRESTED.

11:13AM 7 NOW, HE DID TESTIFY THAT HE WAS RECEIVING SMALL
11:13AM 8 QUANTITIES, ABOUT TWO OUNCES, FOR A SHORT TIME FROM RENE
11:13AM 9 SALAZAR. HE TESTIFIED THAT HE WAS RECEIVING THESE TWO OUNCES
11:13AM 10 EVERY DAY FOR A TWO-MONTH SPAN. NOW, KENNETH HOUSE WAS
11:13AM 11 ARRESTED IN JULY OF 2011 FOR A DIRTY UA. RENE SALAZAR WAS
11:13AM 12 ARRESTED AUGUST 15TH OF 2011. AND YOU HEARD MULTIPLE PEOPLE
11:13AM 13 TESTIFY THAT HE WAS ALREADY IN STATE CUSTODY. SO WHY WOULD
11:13AM 14 TIBBS SAY THIS?

11:13AM 15 THE THIRD PERSON THAT CHARLES QUIROLO IDENTIFIED
11:13AM 16 THAT HE WAS DELIVERING TO FOR RENE SALAZAR WAS MELISSA STEWART.
11:13AM 17 SHE SAID THAT SHE MET RENE SALAZAR IN JUNE OF 2011 THROUGH HER
11:14AM 18 SISTER, SHERRY WEST. THEY HAD A DATING RELATIONSHIP, IT WENT
11:14AM 19 SOUTH, SHE OBVIOUSLY STILL KNEW HIM, AND FROM JUNE UNTIL
11:14AM 20 AUGUST--FROM JUNE TILL AUGUST MISSY STEWART--MELISSA STEWART--
11:14AM 21 SAID SHE WAS GETTING A QUARTER-OUNCE TO AN OUNCE, WITH AN OUNCE
11:14AM 22 BEING THE BIGGEST TRANSACTION SHE EVER DID FOR RENE, THAT SHE
11:14AM 23 WAS GETTING THAT CONSISTENTLY OVER A TWO-MONTH PERIOD. BUT
11:14AM 24 THEN SHE CLARIFIED AND SHE SAID THAT 80 PERCENT SHE WAS
11:14AM 25 ACTUALLY RECEIVING FROM CHARLES QUIROLO. NOW, I DON'T

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1706

11:14AM 1 UNDERSTAND WHY CHARLES QUIROLO IS GOING TO SAY THAT HE WAS
11:14AM 2 MAKING THESE DELIVERIES TO THESE PEOPLE FOR RENE SALAZAR WHEN
11:14AM 3 BOBBY JAMES AND TREY TIBBS WERE WORKING FOR KENNETH HOUSE.
11:14AM 4 SO WHO'S TELLING THE TRUTH THERE? IT SEEMS LIKE THEY'RE
11:14AM 5 CONFLICTING STATEMENTS.

11:14AM 6 NOW, JAMES AND TIBBS, THEY BOTH SAY THAT THEY
11:14AM 7 ACTUALLY WORKED FOR KENNETH HOUSE. BUT THEY NEVER TOLD YOU
11:14AM 8 THAT THEY REALLY DELIVERED FOR RENE SALAZAR. TREY TIBBS
11:15AM 9 ALLEGED IN THAT TWO-MONTH PERIOD THAT HE WAS RECEIVING, BUT HE
11:15AM 10 WASN'T NECESSARILY DISTRIBUTING TO ANYBODY. HE DIDN'T TELL YOU
11:15AM 11 THAT. HE NEVER IDENTIFIED, REALLY, ANY OF HIS CUSTOMERS THAT
11:15AM 12 HE WAS ACTUALLY DISTRIBUTING TO. AND THE TIME FRAMES JUST
11:15AM 13 DON'T WORK OUT.

11:15AM 14 NOW, WHAT I FOUND INTERESTING WAS THAT WHETHER IT
11:15AM 15 WAS BOBBY JAMES, MELISSA STEWART, TREY TIBBS, ALL THREE HAD
11:15AM 16 THE SAME THING IN COMMON. THEY INITIALLY KIND OF DEALT WITH
11:15AM 17 CHARLES QUIROLO BECAUSE THEY KNEW THAT CHARLES QUIROLO KNEW
11:15AM 18 MANUEL CAMACHO. SO THEY WERE DEALING WITH HIM. CHARLES
11:15AM 19 QUIROLO PROVED VERY UNRELIABLE. SO WHAT DID THEY DO? THEY
11:15AM 20 COMPLETELY CUT OUT CHARLES QUIROLO AND WENT DIRECTLY TO MIKE
11:15AM 21 CAMACHO THEMSELVES. MIND YOU, THIS IS LONG AFTER RENE SALAZAR
11:15AM 22 IS ALREADY IN STATE CUSTODY. SO ALL OF THIS STUFF THAT'S
11:15AM 23 HAPPENING, HE DOESN'T HAVE ANY CONTROL OVER IT.

11:16AM 24 NOW, I WILL SAY THAT ALL THREE OF THESE PEOPLE ALL
11:16AM 25 HAVE THE SAME THING TO SAY ABOUT RENE SALAZAR. THEY ALL SAY

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1707

11:16AM 1 THAT HE'S A PARTNER OF KENNETH HOUSE.

11:16AM 2 THROUGHOUT THIS PERIOD OF TIME IN THE SUMMER OF
11:16AM 3 2011, FROM JUNE TO THE AUGUST TIME PERIOD, LIVING ON DAY
11:16AM 4 STREET, RENE SALAZAR WAS LIVING WITH ANDREA REEVES.

11:16AM 5 NOW, ANDREA REEVES TOLD YOU THAT SHE WAS USING
11:16AM 6 DURING THIS TIME, BUT SHE TOLD YOU THAT HER SOURCE OF SUPPLY
11:16AM 7 WAS BRENDA REEVES. YOU'VE GOT THIS MAJOR DRUG TRAFFICKER
11:16AM 8 LIVING UNDER YOUR SAME ROOF. WHY WOULD YOU FEEL THE NEED TO GO
11:16AM 9 TO A DIFFERENT SOURCE OF SUPPLY? WOULDN'T IT BE RIGHT THERE,
11:16AM 10 HANDY? TREY TIBBS SAID IT WAS IN THE MASTER BEDROOM. ARE
11:16AM 11 WE REALLY TO BELIEVE THAT METHAMPHETAMINE WAS IN THE MASTER
11:16AM 12 BEDROOM AND ANDREA REEVES DIDN'T KNOW ABOUT IT? LET'S FACE IT.
11:16AM 13 SHE'S USING IT, SHE'S PROBABLY AN ADDICT. IF SHE'S AN ADDICT,
11:16AM 14 DON'T YOU THINK IF IT WAS IN HER OWN MASTER BEDROOM THAT SHE
11:17AM 15 WOULD CERTAINLY SEEK THAT OUT AND UTILIZE THAT RESOURCE?

11:17AM 16 NOW, SHE GOT UP THERE AND SHE TOLD YOU THAT SHE
11:17AM 17 HAD--YOU KNOW, SHE HAD KIDS AND THAT SHE DIDN'T WANT HER KIDS
11:17AM 18 TO BE AROUND THAT ENVIRONMENT, THAT SHE DIDN'T WANT HER KIDS TO
11:17AM 19 BE THERE AT THE HOUSE. FOLKS, SHE DIDN'T EVEN HAVE CUSTODY OF
11:17AM 20 HER KIDS. MAYBE THEY CAME OVER FOR SOME VISITATION HERE AND
11:17AM 21 THERE, BUT SHE DIDN'T HAVE CUSTODY OF THEM. SO FOR HER TO SIT
11:17AM 22 UP THERE AND MAKE THE ARGUMENT THAT SHE WAS TRYING TO PROTECT
11:17AM 23 HER KIDS WHILE TALKING OUT OF THE OTHER SIDE OF HER MOUTH AND
11:17AM 24 SAYING THAT SHE WAS AN HABITUAL USER OF METHAMPHETAMINE IS KIND
11:17AM 25 OF A CONTRADICTORY STATEMENT.

11:17AM 1 BUT SHE ALSO CONFIRMED THAT SHE KNEW MIKE CAMACHO,
11:17AM 2 SHE KNEW MIKE CAMACHO'S WIFE, THAT THEY ALL HUNG OUT SOCIAILY.
11:17AM 3 AND I THINK IT WAS PRETTY WELL-ESTABLISHED THAT MIKE CAMACHO
11:17AM 4 AND RENE SALAZAR WERE FRIENDS.

11:17AM 5 BUT ANDREA REEVES, HER OPPORTUNITY IN THIS CASE
11:18AM 6 HAPPENED AUGUST 15TH, 2011, WHEN RENE SALAZAR WENT IN STATE
11:18AM 7 CUSTODY. THAT'S WHEN SHE DECIDED ON HER OWN VOLITION THAT
11:18AM 8 SHE WAS GONNA START DEALING METHAMPHETAMINES HERSELF. AND
11:18AM 9 SHE WASTED NO TIME IN DOING SO. SHE WASTED NO TIME IN SETTING
11:18AM 10 UP HER OWN SITUATION WITH MIKE CAMACHO AND SUBSEQUENTLY WITH
11:18AM 11 PRISCILLA CAMACHO. IN FACT, YOU'LL RECALL IN GOVERNMENT'S
11:18AM 12 EXHIBIT 6 ANDREA IS ONE OF THE NAMES ON THERE. SHE TESTIFIED
11:18AM 13 THAT SHE ACTUALLY BECAME HER OWN STEPMOTHER'S SOURCE OF SUPPLY.

11:18AM 14 THE COURT: MR. KEMP, YOU HAVE ABOUT TWO AND A HALF
11:18AM 15 MINUTES.

11:18AM 16 MR. KEMP: THANK YOU, YOUR HONOR.

11:18AM 17 NOW, THE MOST IMPORTANT PERSON IN THIS CASE IS
11:18AM 18 DEFINITELY KENNETH HOUSE. HE TOLD YOU HE FIRST BEGAN DEALING
11:18AM 19 DRUGS IN 1996. 1996. SO HE'S DONE THIS FOR 15 YEARS. BUT
11:18AM 20 WHAT IS KENNETH HOUSE? HE'S A LIAR, PLAIN AND SIMPLE. HE TOLD
11:19AM 21 YOU HE HAD CANCER, BUT HE HAD REALLY NEVER BEEN DIAGNOSED. HE
11:19AM 22 JUST THOUGHT MAYBE IT WAS HEREDITARY. HE HAD NEVER FOLLOWED IT
11:19AM 23 UP.

11:19AM 24 HE TOLD EVERYBODY THAT THERE WAS THIS PARTNERSHIP
11:19AM 25 THAT WAS GOING ON WITH HE AND RENE SALAZAR, BUT YET HE WAS THE

CLOSING STATEMENT BY DEFENDANT RENE SALAZAR

1709

11:19AM 1 ONE THAT SET UP THE SOURCES OF SUPPLY, HE WAS THE ONE THAT GOT
11:19AM 2 THE CONNECTION WITH FERNANDO PERALES, OR DOGG. THAT WAS JUST
11:19AM 3 HIM. AND THEN HE TRIES TO COME IN AND TELL YOU THAT "WELL, I
11:19AM 4 FOUND THIS SOURCE OF SUPPLY, AND NOW I'M GOING TO SET UP THIS
11:19AM 5 PARTNERSHIP WITH RENE SALAZAR." REALLY? WOULDN'T IT MAKE
11:19AM 6 MORE SENSE TO SET UP A PARTNERSHIP AGREEMENT BEFORE YOU WENT
11:19AM 7 OUT TO TRY TO FIND A SOURCE OF SUPPLY? I THOUGHT WHAT WAS
11:19AM 8 INTERESTING WAS, WHEN HE GOT PULLED OVER IN 2011, HE NEVER
11:19AM 9 MENTIONED RENE SALAZAR'S NAME, DID HE? WHY NOT? I'M SURE THE
11:19AM 10 GOVERNMENT WOULD ARGUE THAT IT WAS FOR SOME SORT OF PROTECTION.

11:19AM 11 THE FIRST TIME THAT HE ACTUALLY MENTIONED RENE
11:20AM 12 SALAZAR'S NAME WAS IN 2012, WHEN HE STARTED DEALING WITH THIS
11:20AM 13 FEDERAL THING. WHY? BECAUSE HE'S GOT TO FIND SOMEBODY TO PIN
11:20AM 14 SOMETHING ON, BECAUSE HE DOESN'T WANT TO SPEND THE REST OF MOST
11:20AM 15 OF HIS ADULT LIFE IN PRISON. HE USED THE SYMPATHY CARD OF
11:20AM 16 CANCER, AND IT DIDN'T WORK OUT WELL. HE TOLD LAW ENFORCEMENT
11:20AM 17 HIS WIFE DIDN'T KNOW ANYTHING ABOUT IT, BUT WE ALL KNOW SHE
11:20AM 18 DID. IN FACT, WHEN MS. HOUSE CAME IN, SHE TESTIFIED THAT HE
11:20AM 19 WAS A LIAR. SHE TESTIFIED THAT HE MADE UP EVERYTHING ABOUT THE
11:20AM 20 CASE. SHE TESTIFIED THAT EVEN SMALL THINGS HE WOULD MAKE UP,
11:20AM 21 EXAGGERATE. SO WHY WOULD HE NOT BE EXAGGERATING NOW?

11:20AM 22 I'D ASK YOU THAT YOU--IT'S YOUR JOB TO DETERMINE
11:20AM 23 WHAT FACTS ARE ACCURATE AND WHAT FACTS ARE INACCURATE. YOU
11:20AM 24 ARE GOING TO HAVE THE OPPORTUNITY TO FLESH OUT ALL THE LIES OF
11:20AM 25 KENNETH HOUSE AND ANY OTHER WITNESSES THAT YOU MAY THINK ARE

1710

11:20AM 1 BEING UNTRUTHFUL. YOU ARE GOING TO HAVE THE OPPORTUNITY TO
11:21AM 2 FLESH ALL OF THOSE OUT AND DETERMINE THE FACTS FOR YOURSELF.
11:21AM 3 IN THE EVENT THAT YOU DETERMINE THAT RENE SALAZAR WAS PART
11:21AM 4 OF THE CONSPIRACY, I WANT YOU TO TAKE A LOOK AT THE FACTS AND
11:21AM 5 JUDGE OUR FACTS IN DETERMINING THE ACTUAL QUANTITY THAT WAS
11:21AM 6 DIRECTLY ATTRIBUTABLE TO RENE SALAZAR, AND NOT TO KENNETH HOUSE
11:21AM 7 OR SOME OTHER WITNESS THAT CERTAINLY HAS THE ABILITY AND THE
11:21AM 8 OPPORTUNITY TO EXAGGERATE THOSE NUMBERS.

11:21AM 9 THANK YOU.

11:21AM 10 THE COURT: THANK YOU, MR. KEMP.

11:21AM 11 LADIES AND GENTLEMEN, ARE YOU READY TO KEEP GOING
11:21AM 12 WITH ARGUMENTS, OR DO YOU NEED A BREAK? A BREAK? ALL RIGHT.

11:21AM 13 MR. WHALEN, LET'S TAKE A 10-MINUTE RECESS.

11:22AM 14 COURT SECURITY OFFICER: ALL RISE.

11:22AM 15 [OPEN COURT, DEFENDANTS PRESENT, JURY NOT PRESENT]

11:22AM 16 THE COURT: ALL RIGHT. WE'LL RECESS FOR 10 MINUTES.

11:22AM 17 WE HAVE BEEN GOING FOR ABOUT TWO HOURS AND 15 MINUTES.

11:22AM 18 [RECESS]

11:33AM 19 [OPEN COURT, DEFENDANTS PRESENT, JURY NOT PRESENT]

11:33AM 20 THE COURT: THANK YOU. PLEASE BE SEATED.

11:34AM 21 MR. NEWBERRY, PLEASE BRING IN THE JURY.

11:34AM 22 COURT SECURITY OFFICER: ALL RISE FOR THE JURY.

11:35AM 23 [OPEN COURT, DEFENDANTS AND JURY PRESENT]

11:35AM 24 THE COURT: ALL RIGHT. YOU MAY BE SEATED.

11:35AM 25 MR. WHALEN.

CLOSING STATEMENT BY DEFENDANT TIMOTHY BOWEN

1711

11:35AM 1 CLOSING STATEMENT ON BEHALF OF DEFENDANT BOWEN

11:35AM 2 MR. WHALEN: MAY IT PLEASE THE COURT.

11:35AM 3 COUNSEL.

11:35AM 4 GOOD MORNING, LADIES AND GENTLEMEN.

11:35AM 5 I'M GOING TO TRY SOMETHING NEW FOR THE FIRST TIME.

11:35AM 6 I DO HAVE A POWERPOINT PRESENTATION. SO WE'RE GONNA SEE HOW

11:35AM 7 IT GOES. SO BEAR WITH ME.

11:35AM 8 BUT, FIRST, YOU HAVE THOSE JURY INSTRUCTIONS IN

11:35AM 9 FRONT OF YOU, AND THAT'S THE LAW YOU HAVE, AND YOU HAVE TO

11:35AM 10 APPLY IT IN THIS CASE. THAT'S KIND OF THE ROAD MAP OR FILTER

11:35AM 11 THAT YOU NEED TO TAKE ALL THAT EVIDENCE AND FILTER IT THROUGH,

11:35AM 12 BECAUSE THE ONE THING YOU NEED TO UNDERSTAND IS, JUST BECAUSE

11:35AM 13 THERE'S EVIDENCE, IT DOESN'T NECESSARILY EQUAL PROOF. SO KEEP

11:35AM 14 THAT IN MIND.

11:35AM 15 SO, AS WE GOT STARTED IN THIS TRIAL, WE STARTED

11:35AM 16 OFF WITH THE PREMISE THAT EACH AND EVERY PERSON IS PRESUMED

11:35AM 17 INNOCENT. SO WHEN WE START IN THE BEGINNING, TIM BOWEN IS NOT

11:35AM 18 GUILTY. THAT'S WHERE YOU START. HE'S NOT GUILTY UNLESS AND

11:36AM 19 UNTIL THEY PROVE THE CASE TO YOU BEYOND A REASONABLE DOUBT.

11:36AM 20 OKAY?

11:36AM 21 SO THEN NOW LET'S GO THROUGH THAT. OBVIOUSLY,

11:36AM 22 THERE'S FOUR ELEMENTS IN THE CHARGE. I'M JUST GONNA TALK

11:36AM 23 ABOUT THESE THREE BECAUSE, FRANKLY, I DON'T THINK YOU NEED TO

11:36AM 24 GET TO DRUG QUANTITY. WHEN YOU FILTER ALL THROUGH THE EVIDENCE

11:36AM 25 IN THIS CASE, YOU'RE GONNA END UP TO A "NOT GUILTY."

11:36AM 1 BUT, FIRST, YOU HAVE TO HAVE TWO OR MORE PERSONS
11:36AM 2 DIRECTLY OR INDIRECTLY REACH AN AGREEMENT, THAT THEY KNEW THE
11:36AM 3 UNLAWFUL PURPOSE OF THE AGREEMENT, AND THAT THEY JOINED IN IT
11:36AM 4 TO FURTHER IT. SO YOU FIRST HAVE TO FIND: WAS THERE ANY TYPE
11:36AM 5 OF AGREEMENT? WHAT WAS THE ASSOCIATION OF THESE FOLKS? WHAT
11:36AM 6 WERE THEY DOING TOGETHER? SO I WANT YOU TO LOOK AT THAT FIRST.

11:36AM 7 NOW, IF YOU BELIEVE THE GOVERNMENT'S CASE--AND I'M
11:36AM 8 JUST STARTING WITH THAT PREMISE, IF YOU BELIEVE THAT, BUT I
11:36AM 9 THINK WHEN YOU LOOK AT THE EVIDENCE IT'S GONNA FALL APART--
11:36AM 10 THAT EVERY TIME THEY DID A TRANSACTION WITH MR. PERALES, IT
11:36AM 11 WAS SEPARATE AND FINITE.

11:36AM 12 AND THE REASON WHY I SAY THAT IS, YOU'VE HEARD THE
11:37AM 13 TERM "DRUGS WERE FRONDED." YOU'VE HEARD THAT OVER AND OVER AND
11:37AM 14 OVER AGAIN. WHY IS THAT IMPORTANT? WHY DID THEY EMPHASIZE
11:37AM 15 THAT? BECAUSE WHEN YOU FRONT DRUGS TO SOMEBODY, YOU GIVE IT TO
11:37AM 16 THEM ON CONSIGNMENT. YOU'VE HEARD THAT WORD. AND YOU GIVE IT
11:37AM 17 TO SOMEBODY ON CONSIGNMENT WITH THE EXPECTATION THAT THEY'RE
11:37AM 18 GONNA GO DO SOMETHING WITH IT SO THEY CAN PAY IT. SO YOU
11:37AM 19 EXPECT THEM--"YOU NEED TO GO SELL THEM SO YOU CAN PAY ME FOR
11:37AM 20 THE DRUGS THAT I GAVE YOU." SO THAT'S WHEN AN AGREEMENT IS
11:37AM 21 FORMED TO POSSESS WITH THE INTENT TO DISTRIBUTE. BECAUSE I'M
11:37AM 22 GIVING YOU DRUGS, I'M EXPECTING YOU TO GO SELL IT AND BRING ME
11:37AM 23 THE MONEY BACK. AND THAT'S WHY FRONTING--AND YOU'VE HEARD THAT
11:37AM 24 OVER AND OVER AND OVER AGAIN--WHY IT'S SO IMPORTANT.

11:37AM 25 BUT YOU DIDN'T HEAR THAT WHEN IT RELATED TO

1713

11:37AM 1 MR. PERALES. HE NEVER SAID HE FRONTED DRUGS TO ANYBODY. HE
11:37AM 2 NEVER SAID HE EXPECTED ANYBODY TO COME BACK AND PICK UP MONEY.
11:37AM 3 HE NEVER TALKED ABOUT THAT. AND I THINK THAT'S IMPORTANT WHEN
11:37AM 4 YOU LOOK AT WHETHER OR NOT THERE'S AN AGREEMENT WHEN MR. PERALES
11:37AM 5 WOULD SELL DRUGS TO SOMEBODY. BECAUSE ONCE HE SOLD THEM TO
11:38AM 6 THEM, THAT TRANSACTION WAS COMPLETE. THERE WAS NO EXPECTATION
11:38AM 7 OF WHAT THEY WERE GONNA DO AFTERWARDS. HE HAD NO INTEREST IN
11:38AM 8 WHAT THEY WERE GONNA DO AFTERWARDS. AND THERE'S BEEN SOME
11:38AM 9 TESTIMONY THAT HE KNEW THEY WERE GOING TO DENISON AND SHERMAN.
11:38AM 10 I DON'T THINK THAT'S IN THE RECORD. I DON'T THINK HE EVER SAID
11:38AM 11 THAT. BUT I THINK YOU NEED TO LOOK AT THAT. WAS THERE EVER AN
11:38AM 12 AGREEMENT? AND I THINK THE GOVERNMENT, WHAT THEY WANT TO TRY
11:38AM 13 TO DO IS, THERE WAS THIS OVERALL AGREEMENT TO DISTRIBUTE DRUGS
11:38AM 14 IN THE SHERMAN-DENISON AREA. BUT LOOK AT THE EVIDENCE THAT YOU
11:38AM 15 HAVE. THERE'S NO EXPECTATION THAT IF BOWEN GOT DRUGS FROM HIM
11:38AM 16 THAT HE WOULD RETURN WITH A PROFIT. HE HAD NO KNOWLEDGE OF
11:38AM 17 WHAT HE WAS GONNA DO WITH THEM AFTERWARDS. SO IS THERE ANY
11:38AM 18 AGREEMENT THAT THERE'S A CONSPIRACY OR A JOINT AGREEMENT TO
11:38AM 19 DISTRIBUTE NARCOTICS? YOU HAVE TO ASK THAT THRESHOLD QUESTION
11:38AM 20 BEFORE ANYTHING. BECAUSE IF YOU ANSWER THAT QUESTION NO, THEN
11:39AM 21 THERE'S NO CONSPIRACY CHARGE AND THERE'S NO FINDING OF GUILT;
11:39AM 22 YOU HAVE TO FIND HIM NOT GUILTY.

11:39AM 23 AND I THINK ALSO WHEN YOU LOOK AT IT EVERYBODY WAS
11:39AM 24 INDEPENDENT OF EACH OTHER. WHEN YOU KIND OF SEPARATE IT ALL
11:39AM 25 OUT, ESPECIALLY WHEN AFTER MR. HOUSE GETS ARRESTED YOU HAVE

1714

11:39AM 1 CHRISTINA HOUSE DOING HER OWN THING AND KISHA BOWEN DOING HER
11:39AM 2 OWN THING AND THEN ALL OF A SUDDEN TIM BOWEN POPS UP. THEY SAY
11:39AM 3 TIM IS INVOLVED. AND HE'S KIND OF BEEN DOING HIS OWN THING.
11:39AM 4 AND I THINK THE GOVERNMENT IS GOING TO SAY, "WELL, TIM AND
11:39AM 5 MR. TIBBS POOLED THEIR MONEY TOGETHER. THAT WAS AN AGREEMENT."
11:39AM 6 BUT THINK ABOUT IT. THEY GOT DRUGS AND SUPPOSEDLY THEY WENT
11:39AM 7 THEIR OWN SEPARATE WAYS. THERE'S NO INTENT TO FURTHER ANYTHING
11:39AM 8 AFTER THAT TRANSACTION. SO I'D ASK YOU TO LOOK AT THEM FROM A
11:39AM 9 POINT OF: WERE THEY DISCRETE? WERE THEY FINITE? WAS THERE AN
11:39AM 10 EXPECTATION OF RETURN OF MONEY?

11:40AM 11 THERE'S EVEN IN THE CHARGE THAT THERE DOESN'T
11:40AM 12 HAVE TO BE A FINANCIAL GAIN. BUT LET'S BE HONEST. THEY'RE
11:40AM 13 OBVIOUSLY HERE TO MAKE MONEY. AND THERE'S NO EXPECTATION
11:40AM 14 OF THAT. THERE'S NO TRANSFER OF MONEY OR PROFIT BACK TO
11:40AM 15 MR. PERALES BETWEEN MR. BOWEN AND MR. TIBBS OR BETWEEN ANYBODY
11:40AM 16 ELSE. THEY'RE ALL DOING THEIR OWN THING. SO YOU HAVE THIS
11:40AM 17 GROUP HERE AND THIS GROUP HERE, AND THEN YOU HAVE BOBBY JAMES
11:40AM 18 GOING TO CAMACHO HIMSELF, AND YOU HAVE ALL THESE DIFFERENT
11:40AM 19 GROUPS JUST KIND OF DOING THEIR OWN THING. BUT THEN THE
11:40AM 20 GOVERNMENT WANTS TO SAY, "WELL, TREAT IT AS ONE OVERALL
11:40AM 21 CONSPIRACY, BECAUSE THEY ALL DELIVER DRUGS TO SHERMAN-DENISON."
11:40AM 22 THEY'VE PROVEN TO YOU A BUNCH OF DIFFERENT ACTIVITY. THEY
11:40AM 23 HAVEN'T PROVEN TO YOU AN OVERARCHING CONSPIRACY. AND I THINK
11:40AM 24 WHEN YOU LOOK AT THAT AND FILTER THAT THROUGH, IT LEADS TO
11:40AM 25 THEY'RE NOT GUILTY. OKAY?

11:40AM 1 SO THEN YOU HAVE TO SAY TO YOURSELF, "OKAY, WHAT
11:40AM 2 EVIDENCE DO THEY HAVE?" WHAT EVIDENCE DID THEY BRING YOU? AND
11:40AM 3 I HAVE TO SAY THAT IT'S KIND OF--I'LL SAY IT'S OFFENSIVE TO
11:41AM 4 ME FOR THE GOVERNMENT TO SAY THAT WE'RE GONNA GIVE YOU RABBIT
11:41AM 5 TRAILS OR THINGS YOU ARE NOT TO FOCUS ON OR BRING UP CERTAIN
11:41AM 6 THINGS, DON'T FOCUS ON WHETHER OR NOT THEY'RE TELLING THE TRUTH
11:41AM 7 AND WHETHER OR NOT THEY HAD A MOTIVE TO TESTIFY A CERTAIN WAY.
11:41AM 8 THOSE ARE NOT RABBIT TRAILS. THOSE ARE JOBS THAT YOU HAVE TO
11:41AM 9 DO AS JURORS TO DECIDE WHETHER OR NOT YOU'RE GONNA BELIEVE
11:41AM 10 THESE PEOPLE.

11:41AM 11 BECAUSE WHEN IT REALLY COMES DOWN, WITH TIM BOWEN,
11:41AM 12 YOU'VE GOT TO BELIEVE THESE PEOPLE. BECAUSE WHAT INVESTIGATION
11:41AM 13 REALLY HAPPENED AS IT RELATES TO TIM BOWEN? YOU HEARD ALL THE
11:41AM 14 TESTIMONY ABOUT ALL THE TOOLS THAT THEY HAVE. AND YOU HAD THE
11:41AM 15 WIRETAPS. REMEMBER, THERE WAS TESTIMONY ABOUT WIRETAPS, THAT
11:41AM 16 THEY'RE VERY EXPENSIVE; "WE DON'T UTILIZE THEM IN EVERY CASE,
11:41AM 17 BECAUSE THEY'RE VERY EXPENSIVE." BUT THEY'RE ASKING YOU TO
11:41AM 18 FIND SOMEBODY GUILTY AND FACE THE PUNISHMENT OF PRISON TIME,
11:42AM 19 BUT THEY'RE GONNA PUT A PRICE ON THAT. IT'S TOO EXPENSIVE TO
11:42AM 20 BRING YOU THE EVIDENCE THAT YOU NEED TO MAKE A DECISION, WHEN
11:42AM 21 THEY HAVE THE RESOURCES TO DO IT.

11:42AM 22 SEARCH WARRANTS. DID THEY GET ANY SEARCH WARRANTS?
11:42AM 23 YOU FINALLY SAW PICTURES OF MR. BOWEN'S HOUSE--SUPPOSED HOUSE
11:42AM 24 THAT THEY TOOK A WEEK BEFORE THE TRIAL. YOU KNOW THEY DIDN'T
11:42AM 25 DO THAT.

1716

11:42AM 1 DID THEY DO ANY CONTROLLED BUYS? CHRISTINA HOUSE
11:42AM 2 TESTIFIED THAT SHE BECAME A CONFIDENTIAL INFORMANT AND
11:42AM 3 SUPPOSEDLY MENTIONED MR. BOWEN'S NAME TO THEM. WHAT
11:42AM 4 INVESTIGATION DID THEY DO ON THAT INFORMATION?
11:42AM 5 THE GOVERNMENT WILL WANT TO TELL YOU, "WELL, WE USE
11:42AM 6 COOPERATORS TO GET INFORMATION, PEOPLE WHO ARE CONFIDENTIAL
11:42AM 7 INFORMANTS." BUT YOU TAKE THAT INFORMATION AND USE THESE TOOLS
11:42AM 8 TO BRING YOU EVIDENCE.
11:43AM 9 TRASH RUNS. YOU HEARD TESTIMONY ABOUT TRASH RUNS,
11:43AM 10 WHERE WE CAN GO SEARCH THROUGH YOUR TRASH TO FIND EVIDENCE
11:43AM 11 OF NARCOTICS, AND WE CAN GET A SEARCH WARRANT AND SEARCH YOUR
11:43AM 12 HOUSE. THAT'S PRETTY EASY. THAT DOESN'T COST A LOT OF MONEY.
11:43AM 13 DID THEY DO THAT IN THIS CASE AS RELATES TO MR. BOWEN TO TRY
11:43AM 14 TO DETERMINE WHETHER OR NOT THESE PEOPLE ARE TELLING YOU THE
11:43AM 15 TRUTH? NO.
11:43AM 16 ANY TRAFFIC STOPS? NO.
11:43AM 17 CELL PHONE RECORDS. REMEMBER MS. DAVILA SAID, "OH,
11:43AM 18 I HEARD HIM TALKING ON THE PHONE TO MR. PERALES." DID WE GET
11:43AM 19 ANY PHONE RECORDS FROM MR. PERALES? DID WE GET ANY PHONE
11:43AM 20 RECORDS FROM MR. BOWEN? DID WE GET ANY PHONE RECORDS FROM
11:43AM 21 KISHA BOWEN? DID WE GET ANY PHONE RECORDS FROM CHRISTINA
11:43AM 22 HOUSE? DID WE GET ANY PHONE RECORDS FROM TREY TIBBS? NO.
11:43AM 23 EVIDENCE THAT WOULD CORROBORATE WHAT THEY ARE TRYING TO TELL
11:43AM 24 YOU. THEY DIDN'T DO IT. THEY HAVEN'T BROUGHT IT TO YOU.
11:43AM 25 AND THEN SURVEILLANCE. HOW HARD IS IT TO DO

CLOSING STATEMENT BY DEFENDANT TIMOTHY BOWEN

1717

11:44AM 1 SURVEILLANCE? DRIVE AROUND, SEE IF THEY CAN OBSERVE PEOPLE
11:44AM 2 DOING CERTAIN THINGS. THEY CHOSE NOT TO DO THAT.

11:44AM 3 SO YOU HAVE NO INVESTIGATIVE TOOLS UTILIZED TO
11:44AM 4 BRING YOU A CASE AGAINST TIM BOWEN. THAT SHOULD CAUSE YOU SOME
11:44AM 5 CONCERN. THAT SHOULD CAUSE YOU TO HESITATE. THAT SHOULD CAUSE
11:44AM 6 YOU TO HAVE A REASONABLE DOUBT. WHY NOT? BECAUSE THE DEA GETS
11:44AM 7 INVOLVED IN NOVEMBER OF 2011--I HAVE A TIMELINE FOR YOU. WE'LL
11:44AM 8 GO THROUGH THAT--BUT THEN HE'S INDICTED IN JANUARY OF 2012.

11:44AM 9 WHAT INVESTIGATIONS DID THEY DO?

11:44AM 10 AND THEN WE HEAR FROM MS. DAVILA AND MR. CABRALES
11:44AM 11 THAT THEY GOT INTERVIEWED A WEEK BEFORE THIS TRIAL.

11:44AM 12 SO THEN WE HAD A WHOLE BUNCH OF WITNESSES COME IN.
11:45AM 13 AND THOSE ARE ALL WITNESSES THAT DIDN'T HAVE ANYTHING TO SAY
11:45AM 14 ABOUT MR. BOWEN. SO YOU CAN ELIMINATE ALL THOSE FOLKS. AGENT
11:45AM 15 MATA DIDN'T, DETECTIVE GRISHAM [SIC] DIDN'T, MR. NGUYEN,
11:45AM 16 MR. URBINA, MR. CAMACHO, ANDREA REEVES, MR. JAMES, OFFICER
11:45AM 17 WITHROW, PRISCILLA MARCELENO, CHARLES QUIROLO, RAMIRO CAZARES,
11:45AM 18 OFFICER GRISSOM, OFFICER COVENEY. NOTHING. DIDN'T MENTION HIM
11:45AM 19 ONE TIME.

11:45AM 20 AND THEN YOU HAVE PERALES, HOUSE, TIBBS, DAVILA,
11:45AM 21 CABRALES, HOUSE AND BOWEN. AND WHAT IS THEIR MOTIVE FOR
11:45AM 22 TESTIFYING?

11:45AM 23 MR. PERALES, OBVIOUSLY, HE WANTS TO REDUCE HIS TIME.

11:45AM 24 MR. HOUSE, MR. TIBBS.

11:45AM 25 AND THEN LOOK WHEN WE GET TO MS. DAVILA, CABRALES,

CLOSING STATEMENT BY DEFENDANT TIMOTHY BOWEN

1718

11:45AM 1 CHRISTINA HOUSE AND KISHA BOWEN. THEY'VE GOT PROBLEMS. THEY
11:46AM 2 DON'T WANT TO GET CHARGED. PRETTY BIG INCENTIVE. BUT LET'S
11:46AM 3 GO THROUGH THEIR TESTIMONY AND TALK ABOUT WHAT THEY TOLD YOU.

11:46AM 4 FIRST OF ALL, YOU HAVE MR. PERALES. AND I THINK THE
11:46AM 5 GOVERNMENT PUT UP ON THEIR SLIDE THAT HE STARTED DEALING WITH
11:46AM 6 KENNETH HOUSE IN 2011. THAT'S ON THEIR SLIDE, THAT'S WHAT HE
11:46AM 7 TESTIFIED TO. WELL, I THINK IT'S CLEAR FROM THE TESTIMONY THAT
11:46AM 8 YOU RECEIVED THAT MR. HOUSE WAS ARRESTED IN NOVEMBER OF 2010.
11:46AM 9 HE GOT OUT FOR A WEEK, HE GOT A PAROLE VIOLATION, AND WENT BACK
11:46AM 10 IN. SO WHEN MR. PERALES COMES IN AND SAYS, "WELL, I STARTED
11:46AM 11 DEALING WITH HIM IN 2011," THAT'S NOT POSSIBLE. HE WASN'T OUT
11:46AM 12 IN 2011.

11:46AM 13 AND THE OTHER THING, TOO, ABOUT HIM IS, HE TALKS
11:46AM 14 ABOUT HIS MEMORY IS BAD. "I HAVE A BAD MEMORY." AND WHEN YOU
11:47AM 15 ARE ASKED THOSE QUESTIONS IN THE JURY INSTRUCTIONS ABOUT WHAT
11:47AM 16 YOU SHOULD LOOK FOR AND HOW TO EVALUATE A WITNESS'S TESTIMONY,
11:47AM 17 WAS THEIR MEMORY GOOD OR BAD? HE TELLS YOU HIS MEMORY WAS BAD.
11:47AM 18 ONE MINUTE HE SAYS SIX MONTHS, ONE MINUTE HE SAYS TWO MONTHS.
11:47AM 19 DOES HE REALLY KNOW? WHAT DOES HE REALLY CARE ABOUT? HE'S GOT
11:47AM 20 CHILDREN AT HOME THAT HE WANTS TO GET BACK TO AS QUICKLY AS HE
11:47AM 21 CAN.

11:47AM 22 THEN YOU GET TO MR. HOUSE. AND MR. HOUSE COMES IN
11:47AM 23 AND MAKES THIS STATEMENT THAT MR. SALAZAR COMPLAINED TO HIM
11:47AM 24 ABOUT MR. BOWEN, TIM BOWEN--OR THE BOWENS WERE NOT LIVING UP
11:47AM 25 TO THEIR END OF THE DEAL. IT'S KIND OF CONVENIENT, BECAUSE

11:47AM 1 UP TO THAT POINT THERE'S NO CONNECTION BETWEEN TIM BOWEN AND
11:47AM 2 MR. SALAZAR. OKAY?

11:47AM 3 AND IT'S NOT POSSIBLE FOR THAT TO HAPPEN, BECAUSE
11:48AM 4 IF YOU LOOK AT THE TIMELINE--WE'LL JUST GO TO THE TIMELINE.
11:48AM 5 BECAUSE YOU HAVE KENNETH HOUSE IN JAIL IN NOVEMBER OF 2010.
11:48AM 6 I DON'T THINK ANYBODY DISPUTES THAT.

11:48AM 7 THEN PERALES TESTIFIES HE STARTED DEALING WITH
11:48AM 8 KENNETH HOUSE IN JANUARY OF 2011. WE KNOW CHRISTINA HOUSE GOES
11:48AM 9 TO JAIL IN MARCH 2011. THEN HE GETS OUT OF JAIL IN MARCH--OR
11:48AM 10 MAY OF 2011, AND THEN HE TESTIFIES--I'M ASSUMING IT'S IN THIS
11:48AM 11 TIME FRAME. HE DOESN'T REALLY SAY WHEN IT HAPPENED. BUT HE
11:48AM 12 SAYS THAT SALAZAR MENTIONED TIM BOWEN'S NAME, BUT THEN WE
11:48AM 13 KNOW HOUSE GOES BACK TO JAIL IN JULY OF 2011. OKAY? THAT'S
11:48AM 14 SUPPOSEDLY WHEN THAT HAPPENED.

11:48AM 15 AND THEN YOU HAVE TIBBS AND DAVILA. THEY'RE
11:48AM 16 CLAIMING THAT THEY WERE DEALING WITH PERALES IN JUNE OF 2011.
11:48AM 17 KISHA BOWEN CLAIMS SHE HAS TO INTRODUCE BOWEN TO SALAZAR IN
11:49AM 18 AUGUST OF 2011. THAT'S WHAT SHE TESTIFIED TO. SO HOUSE EITHER
11:49AM 19 HAS IT WRONG, BOWEN HAS GOT IT WRONG, OR THEY'VE BOTH GOT IT
11:49AM 20 WRONG. IT'S JUST NOT POSSIBLE. BECAUSE WE KNOW SALAZAR GOES
11:49AM 21 TO JAIL IN 2011. OKAY? SO WHEN YOU GET TO THAT STATEMENT,
11:49AM 22 THAT'S THE STATEMENT THEY'RE RELYING ON THAT MR. BOWEN IS TIED
11:49AM 23 IN WITH MR. SALAZAR. IT'S JUST NOT POSSIBLE BECAUSE YOU HAVE
11:49AM 24 ONE WITNESS TELLING YOU ONE THING, ANOTHER WITNESS IS TELLING
11:49AM 25 YOU ONE THING, AND THEY WANT YOU TO BELIEVE THEM BOTH. YOU

CLOSING STATEMENT BY DEFENDANT TIMOTHY BOWEN

1720

11:49AM 1 CAN'T HAVE IT BOTH WAYS.

11:49AM 2 AND YOU KNOW ABOUT MR. HOUSE. YOU JUST CAN'T--YOU
11:49AM 3 CAN'T BELIEVE HIM. BECAUSE IF YOU LOOK AT HIS DEMEANOR ON THE
11:49AM 4 VIDEOTAPE OF THE TRAFFIC STOP, HE LIES. HE'S TRYING TO BE COOL
11:50AM 5 AS HE CAN BE, NOT TO GET CAUGHT. BUT WHEN HE'S HERE, WHEN HE
11:50AM 6 GETS CAUGHT, THEN HE'S, LIKE, "OH, I'LL TELL YOU EVERYTHING."

11:50AM 7 HE ALSO SAID IN THAT VIDEO, "I'M NOT GONNA LIE
11:50AM 8 ANYMORE." WELL, HIS WIFE TOLD YOU HE'S A LIAR. HE'LL LIE
11:50AM 9 ABOUT THE BIG THINGS, HE'LL LIE ABOUT THE LITTLE THINGS,
11:50AM 10 AND HE'LL LIE TO YOU IN ORDER TO GET HOME QUICKER.

11:50AM 11 THE OTHER THING, TOO, IS, HE ALSO TOLD YOU HE DIDN'T
11:50AM 12 HAVE ANY PERSONAL KNOWLEDGE ABOUT THAT. HE'S JUST SAYING
11:50AM 13 THAT'S WHAT MR. SALAZAR TOLD HIM. HE HAS NO PERSONAL KNOWLEDGE
11:50AM 14 OF THAT. AND THIS IS COMING FROM A PERSON WHO SELF-ADMITTED
11:50AM 15 TAKING 10 HYDROCODONES PER DAY. I DON'T KNOW ABOUT YOU, BUT
11:50AM 16 HYDROCODONE REALLY CLOUDS YOUR THINKING. AND SO THEY'RE
11:50AM 17 ASKING YOU TO RELY ON HIS DRUG-ADDICTED MEMORY AND ACCEPT
11:51AM 18 THAT STATEMENT AT FACE VALUE.

11:51AM 19 AND THEN YOU LOOK AT HIS CRIMINAL HISTORY. IT'S NOT
11:51AM 20 HIS FIRST RODEO. HE KNOWS WHAT HE NEEDS TO DO TO HELP HIMSELF.
11:51AM 21 AND HE TALKS ABOUT HOW HE DOESN'T KNOW--HE DOESN'T HAVE A VERY
11:51AM 22 GOOD MEMORY. BUT WHEN THEY ASKED HIM WHEN HE KNEW HE WOULD GET
11:51AM 23 OUT ON PAROLE, FINISH HIS PAROLE, HE KNEW THAT DATE WITHOUT
11:51AM 24 A DOUBT. SO IF IT MATTERS TO HIM, ESPECIALLY ABOUT WHETHER
11:51AM 25 HE'S GONNA BE IN JAIL OR OUT OF JAIL, HE'S GONNA HELP HIMSELF.

CLOSING STATEMENT BY DEFENDANT TIMOTHY BOWEN

1721

11:51AM 1 WHEN YOU LOOK AT HIS MOTIVE, YOU LOOK AT HIS DRUG USE, IS
11:51AM 2 THAT SOMEBODY YOU ARE WILLING TO RELY AND ACT UPON WITHOUT
11:51AM 3 HESITATION? THAT'S A REASONABLE DOUBT.

11:51AM 4 THEN YOUR NEXT PERSON IS TREY TIBBS. OBVIOUSLY, HE
11:51AM 5 HAS A PLEA AGREEMENT. LET'S TALK ABOUT THESE PLEA AGREEMENTS
11:51AM 6 HERE JUST A LITTLE BIT. HE SAYS UNBEKNOWNST TO HIM MR. BOWEN
11:51AM 7 IS GETTING HIS DRUGS FROM SOMEONE ELSE. THEY DIDN'T KNOW THEY
11:52AM 8 WERE GETTING DRUGS FROM THE SAME PERSON, IS WHAT HIS TESTIMONY
11:52AM 9 IS. WELL, IF YOU BELIEVE THAT, THAT GOES BACK TO THE FIRST
11:52AM 10 POINT OF: THERE'S NO AGREEMENT. THEY'RE ALL DOING THEIR OWN
11:52AM 11 THING. THEY'RE NOT WORKING TOGETHER. THEY'RE NOT SHARING
11:52AM 12 PROFITS.

11:52AM 13 BUT HIS TIME FRAMES ARE ALL WRONG, BECAUSE HE SAYS
11:52AM 14 IT STARTED IN JUNE OF 2011. BUT WHEN WE GO FORWARD, KISHA
11:52AM 15 BOWEN AND CHRISTINA HOUSE CLAIMED MR. BOWEN DIDN'T KNOW
11:52AM 16 MR. PERALES, WASN'T INTRODUCED TO HIM UNTIL SEPTEMBER OF 2011.
11:52AM 17 SO DO YOU BELIEVE TIBBS AND DAVILA OR DO YOU BELIEVE CHRISTINA
11:52AM 18 HOUSE AND KISHA BOWEN? YOU CAN'T BELIEVE EITHER ONE OF THEM.
11:52AM 19 THEY BOTH CAN'T BE RIGHT. REASONABLE DOUBT.

11:52AM 20 AND ALSO TREY TIBBS. HE WAS USING TWO GRAMS A DAY
11:53AM 21 OF METHAMPHETAMINE. AND THEY'RE ASKING FOR YOU TO RELY ON HIS
11:53AM 22 MEMORY AND HIS TESTIMONY WHEN IT'S BEEN AFFECTED BY HIS USE OF
11:53AM 23 METHAMPHETAMINE.

11:53AM 24 AND HE ALSO WILL CHEAT PEOPLE. REMEMBER HE TOLD YOU
11:53AM 25 HE WAS SHORTING THE BAGS? HE'S TAKING WHAT HE NEEDS, SELLING

11:53AM 1 IT TO PEOPLE, REPRESENTING THAT IT'S SOMETHING ELSE. SO IT WAS
11:53AM 2 EASY FOR HIM TO COME IN HERE AND REPRESENT SOMETHING ELSE TO
11:53AM 3 YOU TO HELP HIM.

11:53AM 4 AND THEN YOU GET TO MARIE DAVILA. SHE CLAIMS THIS
11:53AM 5 IN JUNE, JULY.

11:53AM 6 THEN YOU GET TO KISHA BOWEN'S TESTIMONY. IT HAPPENS
11:53AM 7 IN SEPTEMBER 2011. THE INCONSISTENCY. SHE DOESN'T GET
11:53AM 8 INTERVIEWED TILL LAST WEEK. SHE'S A CONVICTED FELON. SHE USES
11:53AM 9 METH ON A REGULAR BASIS. AND WE'RE ASKED TO RELY ON HER MEMORY
11:54AM 10 WHEN SHE'S A SELF-ADMITTED METHAMPHETAMINE ADDICT. AND THE
11:54AM 11 BIGGEST THING IS, SHE'S NOT BEING CHARGED.

11:54AM 12 CAN YOU IMAGINE GETTING A PHONE CALL A WEEK AGO FROM
11:54AM 13 THE FEDERAL GOVERNMENT, AGENTS FROM FEDERAL LAW ENFORCEMENT,
11:54AM 14 SAYING, "WE WANT TO TALK TO YOU ABOUT THIS. WE JUST WANT YOU
11:54AM 15 TO TELL US THE TRUTH. IF YOU TELL US THE TRUTH, WE'RE NOT
11:54AM 16 GONNA CHARGE YOU"? THINK ABOUT HOW SHE MIGHT FEEL. SCARED.
11:54AM 17 CONCERNED. "I DON'T WANT TO GO TO JAIL. WHAT DO YOU NEED TO
11:54AM 18 KNOW?"

11:54AM 19 THEN YOU HAVE CARLOS CABRALES, ANOTHER PERSON USING
11:54AM 20 METHAMPHETAMINE. THEY ONLY SPOKE TO HIM LAST WEEK. AND THEN
11:54AM 21 THEY'RE TELLING HIM HE'S NOT GONNA BE CHARGED EITHER.

11:54AM 22 THEN YOU HAVE CHRISTINA HOUSE. YOU LOOK AT HER.
11:54AM 23 CONVICTED FELON, THEFT, METHAMPHETAMINE USER. SHE'S A CI,
11:55AM 24 AND SHE'S TRYING TO WORK OFF THESE CASES, PROVIDING STUFF--SHE
11:55AM 25 SAYS SHE PROVIDED INFORMATION TO THE GOVERNMENT THAT THEY NEVER

CLOSING STATEMENT BY DEFENDANT TIMOTHY BOWEN

1723

11:55AM 1 FOLLOWED UP ON. SHE LIED TO HER HUSBAND. SHE DIDN'T TELL HIM
11:55AM 2 THAT SHE WAS DEALING METHAMPHETAMINE. "HE WOULD HAVE KILLED ME
11:55AM 3 IF HE FOUND OUT." SO SHE HID THAT FROM HIM. SHE'S CAPABLE OF
11:55AM 4 DOING THAT. AND THEN SHE TALKS ABOUT THIS INTRODUCTION IN
11:55AM 5 SEPTEMBER OF 2011. SO SHE'S CONTRADICTING THEIR OWN WITNESSES.

11:55AM 6 AND THEN YOU HAVE KISHA BOWEN. SHE SAID SHE
11:55AM 7 INTRODUCED TIM TO SALAZAR. IS THAT REALLY BELIEVABLE? THINK
11:55AM 8 ABOUT IT. MR. SALAZAR IS GOING TO JAIL IN AUGUST 2011. SHE
11:55AM 9 SAYS SHE INTRODUCED HIM. IT HAD TO BE AUGUST OF 2011. ANDREA
11:55AM 10 REEVES WAS THERE.

11:55AM 11 AND ANDREA REEVES TESTIFIED THAT SHE WAS AWARE OF
11:56AM 12 EVERYBODY THAT CAME IN THAT HOUSE AND KNEW WHAT WAS GOING ON.
11:56AM 13 DID SHE ONCE AT ALL EVER TESTIFY SHE KNEW THAT MAN? ESPECIALLY
11:56AM 14 IN LIGHT OF THE FACT THAT THEN SHE CLAIMED SHE STARTED SELLING
11:56AM 15 METHAMPHETAMINE AFTER MR. SALAZAR WENT TO JAIL. "OH, WELL,
11:56AM 16 THEN I HAVE ANOTHER SOURCE." IT WOULD BE TIM BOWEN. DID SHE
11:56AM 17 TALK ABOUT ANY OF THAT? DID SHE SAY SHE WAS PRESENT FOR ANY OF
11:56AM 18 THAT MEETING? NO.

11:56AM 19 KISHA BOWEN IS SCARED. SHE HAS TWO YOUNG KIDS AT
11:56AM 20 HOME. HER HUSBAND IS GETTING READY TO GO TO PRISON FOR A LONG
11:56AM 21 TIME. SHE'S BEING PROMISED, "YOU WON'T GET CHARGED IF YOU
11:56AM 22 TELL US WHAT WE WANT TO KNOW." AND WHEN YOU LOOK AT HER, SHE'S
11:56AM 23 DEALING METHAMPHETAMINE ON HER OWN TERMS, DOING HER OWN THING.
11:56AM 24 SHE'S NO DIFFERENT THAN A LOT OF THESE OTHER PEOPLE WHO
11:56AM 25 TESTIFIED, BUT SHE'S GETTING A PASS. THAT MOTIVATES YOU TO

11:56AM 1 TESTIFY A CERTAIN WAY.

11:56AM 2 SO WHEN YOU LOOK AT THESE WITNESSES AND WHAT THEY'VE
11:57AM 3 TESTIFIED TO AND THE INCONSISTENCIES, THEY ALL CAN'T BE RIGHT.
11:57AM 4 YOU KNOW, PEOPLE THAT ARE CONVICTED FELONS, THEY'RE
11:57AM 5 METHAMPHETAMINE USERS, AND THEY HAVE AGREEMENTS WITH
11:57AM 6 THE GOVERNMENT.

11:57AM 7 NOW LET'S TALK ABOUT THESE AGREEMENTS WITH THE
11:57AM 8 GOVERNMENT. NOW, THEY WANT TO BRING UP THAT THEY WENT THROUGH
11:57AM 9 THESE PLEA AGREEMENTS AD NAUSEAM ABOUT HOW IF YOU COMMIT
11:57AM 10 PERJURY YOU'RE GONNA HAVE DIFFERENT CHARGES AND YOUR DEAL
11:57AM 11 IS GONNA BE OFF. "AS LONG AS YOU TELL US THE TRUTH." BUT
11:57AM 12 WHOSE TRUTH ARE THEY TELLING? WHOSE TRUTH IS IT? IS IT THE
11:57AM 13 GOVERNMENT'S TRUTH? ARE THEY REALLY TELLING THEIR TRUTH?
11:57AM 14 BECAUSE WHAT THE GOVERNMENT SAYS, "WE HAVEN'T PROMISED YOU
11:57AM 15 ANYTHING." AND THAT'S TRUE. THAT'S WHAT THE AGREEMENT SAYS,
11:57AM 16 THERE'S NO PROMISE. BUT THEY'VE CREATED THE EXPECTATION.

11:57AM 17 IT'S NO DIFFERENT WHEN YOU HAVE CHILDREN AND YOU
11:57AM 18 SAY, "IF YOU BEHAVE YOURSELF, I MAY TAKE YOU TO GET ICE CREAM."
11:58AM 19 YOU'VE CREATED THE EXPECTATION. AND THE EXPECTATION IS, "IF I
11:58AM 20 COME IN HERE AND PLEASE THE GOVERNMENT, THEY'RE GONNA GIVE ME
11:58AM 21 SOMETHING. AND THAT 'SOMETHING' IS NOT INSIGNIFICANT. THAT
11:58AM 22 'SOMETHING' IS A REDUCTION IN MY SENTENCE." THAT'S IMPORTANT.
11:58AM 23 THAT'S VALUABLE. YOUR FREEDOM, YOUR LIBERTY. YOU VALUE IT.
11:58AM 24 YOU'LL DO WHAT YOU NEED TO DO. AND YOU HEARD SOME OF THOSE
11:58AM 25 WITNESSES SAY, "I'LL DO WHAT I NEED TO DO TO HELP MYSELF.

1725

11:58AM 1 NOBODY WANTS TO BE IN PRISON." SO IT'S THEIR TRUTH.
11:58AM 2 AND I'VE BEEN STRUGGLING TO TRY TO FIND AN ANALOGY
11:58AM 3 TO KIND OF MAKE THIS MAKE SENSE. THIS IS WHAT I CAME UP WITH
11:58AM 4 THIS MORNING: THINK ABOUT WHEN YOU GO TO THE DOCTOR AND THEY
11:58AM 5 PRESCRIBE YOU MEDICATION AND THEY TELL YOU, "YOU NEED TO TAKE
11:58AM 6 THIS, THIS WILL HELP YOU, THIS IS GOOD FOR YOU, YOU NEED IT."
11:58AM 7 AND YOU BELIEVE THAT. BUT YOU LATER FIND OUT THAT THE
11:59AM 8 PHARMACEUTICAL COMPANY HAS SAID TO THEM, "HEY, IF YOU PRESCRIBE
11:59AM 9 SO MUCH MEDICATION, WE'RE GONNA SEND YOU ON A CRUISE." IF YOU
11:59AM 10 KNOW THAT, DOESN'T IT COLOR YOUR ABILITY TO KNOW: ARE THEY
11:59AM 11 TELLING ME MY TRUTH OR ARE THEY TELLING THE WHOLE TRUTH
11:59AM 12 BECAUSE THEY HAVE AN INCENTIVE? CAN I REALLY BELIEVE WHAT THEY
11:59AM 13 TOLD ME NOW, BECAUSE NOW THEY HAVE AN INCENTIVE TO PRESCRIBE
11:59AM 14 THAT MEDICATION. SO THINK ABOUT THAT.
11:59AM 15 AND SO WHEN YOU LOOK AT EVERYTHING THAT YOU HAVE IN
11:59AM 16 THIS CASE, THERE IS NO PHYSICAL EVIDENCE. THEY HAVE ALL THESE
11:59AM 17 DRUGS OVER HERE THAT THEY SEIZED THROUGH SEARCH WARRANTS,
11:59AM 18 SURVEILLANCE, CONSENSUAL PHONE CALLS. NONE OF THAT APPLIES TO
11:59AM 19 MR. BOWEN, BECAUSE THEY DIDN'T UTILIZE THOSE TOOLS THAT THEY
11:59AM 20 SAY THEY HAVE AND COULD HAVE. THEY CHOSE NOT TO. THEY CHOSE
12:00PM 21 NOT TO DO THAT, AND NOW YOU DON'T HAVE IT.
12:00PM 22 SO NOW YOU COME DOWN TO THE WITNESS TESTIMONY,
12:00PM 23 BECAUSE THAT'S REALLY ALL YOU HAVE AS IT RELATES TO MR. BOWEN,
12:00PM 24 IS WITNESS TESTIMONY.
12:00PM 25 WHEN YOU LOOK AT THE DEFINITION OF "BEYOND A

CLOSING STATEMENT BY DEFENDANT JUAN CARLOS VEGA

1726

12:00PM 1 REASONABLE DOUBT," IT IS "A DOUBT BASED ON REASON AND COMMON
12:00PM 2 SENSE AFTER CAREFUL AND IMPARTIAL CONSIDERATION OF ALL THE
12:00PM 3 EVIDENCE IN THE CASE. PROOF BEYOND A REASONABLE DOUBT,
12:00PM 4 THEREFORE, IS PROOF OF SUCH CONVINCING CHARACTER THAT YOU
12:00PM 5 WOULD BE WILLING TO ACT UPON IT WITHOUT HESITATION IN THE MOST
12:00PM 6 IMPORTANT OF YOUR OWN AFFAIRS." WHEN YOU HAVE THIS INSTRUCTION
12:00PM 7 WHEN IT DEALS WITH WITNESSES WHO ARE ADDICTED TO DRUGS AND WHO
12:00PM 8 HAVE RECEIVED PLEA AGREEMENTS, YOU SHOULD KEEP IN MIND THAT
12:00PM 9 SUCH TESTIMONY IS ALWAYS TO BE RECEIVED WITH CAUTION AND
12:01PM 10 WEIGHED WITH GREAT CARE. YOU SHOULD NEVER CONVICT A DEFENDANT
12:01PM 11 UPON THE UNSUPPORTED TESTIMONY OF AN ALLEGED ACCOMPLICE UNLESS
12:01PM 12 YOU BELIEVE THAT TESTIMONY BEYOND A REASONABLE DOUBT. AND A
12:01PM 13 PERSON WHO HAS USED ADDICTIVE DRUGS, YOU SHOULD NEVER CONVICT
12:01PM 14 ANY DEFENDANT UPON THE UNSUPPORTED TESTIMONY OF SUCH A WITNESS
12:01PM 15 UNLESS YOU BELIEVE IT BEYOND A REASONABLE DOUBT. THAT'S THE
12:01PM 16 FILTER THAT YOU HAVE.

12:01PM 17 AND WHEN YOU THINK ABOUT IT, WHEN YOU THINK ABOUT AN
12:01PM 18 IMPORTANT AFFAIR IN YOUR LIFE, WHEN YOU HAVE ALL THE TESTIMONY
12:01PM 19 OF ALL THESE WITNESSES--AND TO USE THE DOCTOR ANALOGY AND YOU
12:01PM 20 ARE TRYING TO DECIDE WHETHER YOU ARE GOING TO HAVE SURGERY OR
12:01PM 21 NOT--AND YOU HAVE FERNANDO PERALES, KENNETH HOUSE, TREY TIBBS,
12:01PM 22 MARIE DAVILA, CHRISTINA HOUSE AND KISHA BOWEN TELLING YOU THEY
12:01PM 23 HAVE BAD MEMORIES, TELLING YOU THEY'VE BEEN ADDICTED TO DRUGS,
12:01PM 24 TELLING YOU THEY HAVE HAD FELONY CONVICTIONS, TELLING YOU THEY
12:02PM 25 HAVE AN EXPECTATION OF GETTING THEIR SENTENCE REDUCED, AND

CLOSING STATEMENT BY DEFENDANT JUAN CARLOS VEGA

1727

12:02PM 1 THEY'RE ALL OVER THE MAP, "I'M NOT SURE," "MAYBE THAT HAPPENED,"
12:02PM 2 "I HAVE A BAD MEMORY," WOULD YOU RELY ON THAT INFORMATION? IF
12:02PM 3 A DOCTOR TOLD YOU IN THAT WAY, WITH ALL THAT INFORMATION, WOULD
12:02PM 4 YOU HESITATE? WOULD YOU ASK YOURSELF--WOULD YOU HAVE THAT
12:02PM 5 HESITATION TO ACT BASED ON THAT TESTIMONY? THAT'S WHAT THE
12:02PM 6 STANDARD IS. AND IT'S A HIGH STANDARD BECAUSE WE'RE TALKING
12:02PM 7 ABOUT PEOPLE'S LIVES. SO THEY CAN BRING IN FIVE PEOPLE, A
12:02PM 8 HUNDRED PEOPLE, THEY ALL CAN SAY THE SAME THING, BUT JUST
12:02PM 9 BECAUSE IT'S QUANTITY, IT'S NOT QUALITY. YOU DON'T HAVE IT.
12:02PM 10 THEY DIDN'T BRING IT TO YOU. YOU NEED TO HOLD THEM TO THEIR
12:03PM 11 STANDARD.

12:03PM 12 AND WHEN YOU DO THAT AND YOU TAKE IT AS SERIOUSLY AS
12:03PM 13 THIS IS AND HOLD THEM TO THAT STANDARD AND FILTER IT THROUGH
12:03PM 14 THESE INSTRUCTIONS, THE ONLY RESULT IS "NOT GUILTY."

12:03PM 15 THANK YOU.

12:03PM 16 THE COURT: ALL RIGHT. THANK YOU, MR. WHALEN.

12:03PM 17 MR. PETRAZIO.

12:03PM 18 CLOSING STATEMENT ON BEHALF OF THE DEFENDANT JUAN CARLOS VEGA

12:03PM 19 MR. PETRAZIO: THANK YOU, YOUR HONOR. MAY IT PLEASE
12:04PM 20 THE COURT.

12:04PM 21 COUNSEL.

12:04PM 22 LADIES AND GENTLEMEN OF THE JURY: REACH, ROW, THROW
12:04PM 23 AND GO. 29 YEARS AGO, I LEARNED THAT WHILE EARNING MY LIFE-
12:04PM 24 SAVING MERIT BADGE AT BOY SCOUT CAMP AT HIGH POINT STATE PARK
12:04PM 25 IN NEW JERSEY. I LEARNED THAT IT'S AN ACTION PLAN ON WHAT TO

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12:04PM 1 DO WHEN YOU SEE SOMEONE THAT'S DROWNING IN THE WATER.

12:04PM 2 THE FIRST THING YOU ARE SUPPOSED TO DO IS, YOU ARE

12:04PM 3 SUPPOSED TO REACH FOR SOMETHING. IF YOU HAVE A POLE OR A

12:04PM 4 STICK--AT SWIMMING POOLS SOMETIMES YOU SEE A BIG POLE WITH A

12:04PM 5 HOOK ON THE END--YOU REACH FOR SOMEONE.

12:04PM 6 THE SECOND THING YOU DO IS, YOU ROW. IF SOMEONE IS

12:04PM 7 DROWNING IN A LAKE, YOU ROW OUT IN A BOAT AND YOU TRY TO REACH

12:04PM 8 WITH SOMETHING FROM THE BOAT.

12:04PM 9 THE THIRD THING THAT YOU DO IS, YOU TRY TO THROW

12:05PM 10 SOMETHING TO THEM. THROW THEM A ROPE, THROW THEM A LIFE

12:05PM 11 PRESERVER.

12:05PM 12 AND THE LAST RESORT, THE LAST THING YOU SHOULD EVER

12:05PM 13 ATTEMPT TO DO IS TO GO IN THE WATER WITH THAT PERSON. WHY?

12:05PM 14 BECAUSE WHEN SOMEONE IS DROWNING, THEY WILL DO WHATEVER IT

12:05PM 15 TAKES TO SURVIVE. AND SOMETIMES--SOMETIMES THAT MEANS THEY

12:05PM 16 TAKE YOU DOWN WITH THEM. WHETHER THEY DO IT INTENTIONALLY OR

12:05PM 17 UNINTENTIONALLY IS NOT IMPORTANT. THE RISK THAT YOU ASSUME

12:05PM 18 WHEN YOU GET IN THE WATER WITH THEM IS THAT THEY MAY TAKE YOU

12:05PM 19 DOWN.

12:05PM 20 WHY DO I BRING THAT UP? I BRING THAT UP BECAUSE IN

12:05PM 21 THIS CASE YOU'VE SEEN IT. YOU'VE SEEN IT ON THE WITNESS STAND.

12:05PM 22 RAMIRO CAZARES. HE IS A DROWNING MAN. RAMIRO TESTIFIED IN

12:06PM 23 THIS CASE. HE TESTIFIED THAT BECAUSE HE'S A WOMANIZER, HE

12:06PM 24 GOT INVOLVED IN THIS CASE. HIS GIRLFRIEND IN MEXICO NEEDED A

12:06PM 25 FAVOR. THIS IS HIS TESTIMONY. HIS GIRLFRIEND NEEDED A FAVOR.

12:06PM 1 WHY DID SHE NEED A FAVOR? SHE NEEDED A FAVOR BECAUSE HER
12:06PM 2 BROTHER WAS GONNA GET HURT UNLESS SOMEBODY DID A FAVOR FOR HER.
12:06PM 3 AND I ASKED MR. CAZARES IF HE FELT LIKE HE OWED HER SOMETHING.
12:06PM 4 NO. DID HE LOVE HER? NO. DOES THAT MAKE SENSE TO YOU?
12:06PM 5 SHE INSTRUCTED HIM THAT SOMEONE WOULD CALL HIM.
12:06PM 6 MR. CAZARES TESTIFIED THAT SOMEONE DID CALL HIM. AND
12:06PM 7 SUBSEQUENTLY SOMEONE MET HIM AND GAVE HIM A TELEPHONE.
12:07PM 8 THEN HE TESTIFIED THAT HE GOT A CALL FROM A PERSON
12:07PM 9 NAMED PRIMO IN MEXICO. YOU'VE HEARD A LOT ABOUT PRIMO IN THIS
12:07PM 10 CASE. PRIMO IS THE SOURCE OF THE DRUGS FROM MEXICO. AND
12:07PM 11 MR. CAZARES WANTS YOU TO BELIEVE THAT HE'S GONNA DO FIVE FAVORS
12:07PM 12 FOR THIS PERSON IN MEXICO FOR FREE.
12:07PM 13 I ASKED HIM, "DID YOU GET PAID?"
12:07PM 14 "WE WEREN'T GONNA GET PAID UNTIL WE STARTED COOKING
12:07PM 15 THE METH."
12:07PM 16 THERE'S A LOT ABOUT THAT THAT DOESN'T MAKE A WHOLE
12:07PM 17 LOT OF SENSE. HE TESTIFIED--MR. CAZARES TESTIFIED THAT THE
12:07PM 18 FIRST TIME HE WENT AND GOT SOME MONEY AND THAT THE SECOND TIME
12:07PM 19 HE WENT AND GOT SOME MONEY, THAT HE DID THAT ALONE.
12:07PM 20 THEN HE TESTIFIED THAT HE WENT AND PICKED UP DRUGS.
12:08PM 21 AND HE WENT ALONE.
12:08PM 22 AND THEN HE TESTIFIED THAT HE GOT A CALL FROM THE
12:08PM 23 PERSON HE DELIVERED THOSE DRUGS TO, THE FOUR OUNCES. SOMETHING
12:08PM 24 WAS WRONG WITH IT. THEY WERE MAD.
12:08PM 25 AND HE WENT AND PICKED UP THOSE DRUGS ALONE.

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12:08PM 1 AND IF YOU RECALL, ON DIRECT EXAMINATION,
12:08PM 2 MR. GONZALEZ CHANGED ALL OF A SUDDEN THE DIRECTION OF THAT
12:08PM 3 TESTIMONY. HE SAID, "LET'S TALK ABOUT JUAN VEGA." SO NOW, ALL
12:08PM 4 OF A SUDDEN, ON THE LAST DEAL, MR. CAZARES TESTIFIES THAT HE
12:08PM 5 GETS A PHONE CALL WHILE HE'S AT WORK. THE MAN HAS A JOB,
12:08PM 6 THE MAN HAS A BUSINESS. YOU DIDN'T HEAR ANY TESTIMONY FROM
12:08PM 7 MR. CAZARES AS TO WHY ALL OF A SUDDEN NOW HE'S CHANGED THE
12:08PM 8 DIRECTION OF HIS LIFE AND HE'S GETTING INVOLVED IN DRUG
12:09PM 9 TRAFFICKING.

12:09PM 10 THE MAN HAS HAD A BUSINESS FOR YEARS. HE REMODELS
12:09PM 11 BUILDINGS ALL OVER THE COUNTRY, HE TESTIFIED. AND HE TESTIFIED
12:09PM 12 THAT JUAN CARLOS VEGA IS ONE OF HIS WORKERS. HE'S A CARPENTER,
12:09PM 13 HE LAYS TILE, HE DOES SHEETROCK. HE'S A GOOD WORKER, HE
12:09PM 14 TESTIFIED TO. WHY NOW ARE WE SUPPOSED TO BELIEVE THAT
12:09PM 15 MR. CAZARES IS GOING TO GET DRUGS, BUT THIS TIME--THIS TIME--
12:09PM 16 AFTER SIX OR SEVEN TIMES OF GOING ALONE, THIS TIME, AND THE
12:09PM 17 LAST TIME, HE HAS TO TAKE JUAN CARLOS VEGA WITH HIM. WHY?
12:09PM 18 I'LL TELL YOU WHY. BECAUSE MR. CAZARES IS A DROWNING MAN.

12:09PM 19 YOU'VE HEARD A LOT ABOUT THE LACK OF EVIDENCE IN
12:09PM 20 THIS CASE. MR. WHALEN JUST TOLD YOU THE LACK OF THINGS THAT
12:10PM 21 ARE AVAILABLE TO THE GOVERNMENT THAT THEY COULD HAVE HAD DONE
12:10PM 22 TO BRING YOU EVIDENCE. LADIES AND GENTLEMEN, THE JOB OF LAW
12:10PM 23 ENFORCEMENT, THE JOB OF DEA, THE JOB OF THE UNITED STATES
12:10PM 24 GOVERNMENT IS TO PRESERVE AND PROTECT AS MUCH EVIDENCE OF
12:10PM 25 CRIMINAL ACTIVITY AS THEY CAN IN ORDER TO PRESENT IT TO YOU IN

12:10PM 1 THE EVENT A CASE GOES TO TRIAL. THEY KNOW THAT.

12:10PM 2 HOW DIFFICULT WOULD IT HAVE BEEN TO PRESERVE THE

12:10PM 3 TESTIMONY--THE PURPORTED TESTIMONY OF NOT ONLY MR. CAZARES WHEN

12:10PM 4 HE GETS ARRESTED BUT ALSO OF MR. JUAN CARLOS VEGA WHEN HE GETS

12:10PM 5 ARRESTED? BECAUSE WHAT DO WE KNOW? WE KNOW THIS: THAT ON

12:10PM 6 APRIL 9TH MR. CAZARES GETS ARRESTED BY MR. MATA. WE DON'T

12:10PM 7 KNOW WHAT ALL THEY TALKED ABOUT, BECAUSE THERE IS NO RECORDED

12:10PM 8 CONVERSATION OF HOW THAT CONVERSATION WENT. COULD IT HAVE BEEN

12:11PM 9 RECORDED? YOU BET IT COULD HAVE. AND HOW DO I KNOW THAT?

12:11PM 10 BECAUSE THAT SAME DAY MR. MATA RECORDS A CONSENSUAL PHONE CALL

12:11PM 11 BETWEEN MR. CAZARES AND JUAN CARLOS VEGA. HE HAD A RECORDING

12:11PM 12 DEVICE. WHAT'S NOT ON THAT RECORDING? WHAT'S NOT ON THAT

12:11PM 13 RECORDING IS THE CONVERSATION THAT MUST HAVE OCCURRED BETWEEN

12:11PM 14 MR. MATA AND MR. CAZARES BEFORE HE PLACED THE CALL. WHY DID HE

12:11PM 15 MAKE THE CALL? WHAT WE DON'T KNOW IS, HOW DID THAT CONVERSATION

12:11PM 16 GO? I CAN TELL YOU KIND OF HOW IT WENT. YOU SAW THE ONE VIDEO

12:11PM 17 RECORDING THAT WE HAD IN THIS CASE OF AN ARRESTEE, SOMEONE

12:11PM 18 GETTING ARRESTED, AND THAT INTERACTION BETWEEN LAW ENFORCEMENT

12:11PM 19 AND THAT ARRESTEE IN THE ARREST OF KENNETH HOUSE. WHAT DID

12:12PM 20 YOU SEE? YOU SAW SOMEBODY ACTING COOL AND COLLECTIVE UNTIL

12:12PM 21 THE POINT WHERE THEY HANDCUFFED HIM. AND THEN HE FLIPPED. NOW

12:12PM 22 HE'S A DIFFERENT PERSON. "I'VE GOT NAMES, I'VE GOT SUPPLIERS.

12:12PM 23 WHAT DO YOU NEED?" HE IMMEDIATELY BEGINS DOING WHAT A DROWNING

12:12PM 24 MAN DOES. IT'S ALL ABOUT SELF-PRESERVATION.

12:12PM 25 THE PROBLEM FOR MR. CAZARES IS THAT ON APRIL 9TH,

CLOSING STATEMENT BY DEFENDANT JUAN CARLOS VEGA

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12:12PM 1 2012, EVERYONE IN THIS CASE EXCEPT FOR SHISHANA AVINA, BLANCA
12:12PM 2 CAZARES AND JUAN CARLOS VEGA HAS BEEN ARRESTED. HE CAN'T GIVE
12:12PM 3 THEM ANYONE ELSE. WHO CAN HE GIVE THEM? "JUAN CARLOS VEGA, MY
12:13PM 4 EMPLOYEE. I'LL GIVE YOU HIM."

12:13PM 5 WE LISTENED TO A PHONE CALL THAT THE GOVERNMENT PUT
12:13PM 6 IN EVIDENCE, A PHONE CALL THAT ADMITTEDLY JUAN CARLOS VEGA WAS
12:13PM 7 NOT AWARE WAS BEING RECORDED. THE LAW IN THIS STATE DOES NOT
12:13PM 8 REQUIRE THAT BOTH PARTIES TO A CONVERSATION BE MADE AWARE THAT
12:13PM 9 THAT CONVERSATION IS BEING RECORDED. THE GOVERNMENT KNOWS
12:13PM 10 THAT. AND THAT'S WHY THERE'S NOTHING THAT PREVENTS AGENT MATA
12:13PM 11 FROM HITTING THE RECORDER WHEN HE ARRESTED MR. CAZARES AND
12:13PM 12 RECORDING EVERYTHING THAT'S BEING SAID.

12:13PM 13 I SUSPECT THERE'S GOOD REASON THAT THEY DON'T DO
12:13PM 14 THAT. THERE'S GOOD REASON THAT IT WASN'T DONE WHEN JUAN CARLOS
12:13PM 15 VEGA WAS ARRESTED. WHY? BECAUSE THEY HAVE A TENDENCY TO LEAD
12:13PM 16 PEOPLE THAT GET ARRESTED INTO WHAT THEY WANT TO HEAR FROM THEM.

12:14PM 17 WHY WOULD AGENT MATA DO THAT? I'LL TELL YOU WHY.
12:14PM 18 HE'S ALREADY ARRESTED MR. CAZARES AND MR. CAZARES HAS ALREADY
12:14PM 19 GIVEN HIM A STORY ABOUT HIS EMPLOYEE JUAN CARLOS VEGA. A STORY
12:14PM 20 ABOUT, "OH, HE WENT WITH ME TO PICK UP MONEY." A STORY ABOUT,
12:14PM 21 "OH, HE WENT WITH ME TO PICK UP DRUGS." OKAY? YOU SAY THAT.
12:14PM 22 "WE NEED TO GET HIM TO SAY THAT." HOW DO YOU DO THAT? HAVE
12:14PM 23 SOME SORT OF PHONE CALL WHERE YOU TRY TO BRING IT UP IN THE
12:14PM 24 CONVERSATION. THEY HAVE A RECORDED PHONE CALL THAT'S REALLY
12:14PM 25 WEIRD. AND IT JUMPS FROM HERE TO THERE WITH NO EXPLANATION.

12:14PM 1 AND MR. VEGA IS CONFUSED. "ARE YOU ASKING ME TO GO TO THE
12:14PM 2 HOUSE? ARE YOU ASKING ME TO DO THIS?" "NO, NO, NO, NO."
12:14PM 3 HE KEEPS SAYING, "NO." OH, MAN. HOW IS HE GONNA GET OUT
12:14PM 4 OF THERE? HE'S TRYING TO DO HIS EMPLOYER A FAVOR.

12:15PM 5 I HAD AN OPPORTUNITY TO CROSS MR. CAZARES IN THIS
12:15PM 6 COURT AND YOU HEARD IT. AND I ASKED HIM WHY--WHY HE DECEIVED
12:15PM 7 NOT ONLY HIS EX-WIFE, WHO WAS GRACIOUS ENOUGH TO LET HIM STAY
12:15PM 8 AT HER HOUSE AFTER HIS WIFE KICKED HIM OUT FOR HAVING ANOTHER
12:15PM 9 AFFAIR. THE SAME REASON HE TESTIFIED HE GOT DIVORCED FROM HIS
12:15PM 10 FIRST WIFE, FROM BLANCA. HE ABUSED THAT TRUST.

12:15PM 11 HE ABUSED THE TRUST OF SOMEONE NAMED SHISHANA AVINA.
12:15PM 12 AND I ASKED HIM ABOUT THAT. WHO IS SHISHANA AVINA? IT'S HIS
12:15PM 13 SON'S MOTHER-IN-LAW THAT WAS LIVING WITH BLANCA. AND HE ASKED
12:15PM 14 HER TO GO WIRE SOME MONEY. DID YOU HEAR ANYTHING IN THIS CASE
12:16PM 15 ABOUT WIRING MONEY FROM ANY OF THE WITNESSES THAT TOOK THE
12:16PM 16 STAND? NO. BUT MR. CAZARES, "HEY, CAN YOU DO ME A FAVOR AND
12:16PM 17 GO WIRE THIS \$900 TO SOMEBODY IN MEXICO FOR ME, MS. AVINA?"

12:16PM 18 "SURE."

12:16PM 19 DID HE TELL HER WHAT THE MONEY WAS FOR? NO. IS IT
12:16PM 20 COMMON FOR PEOPLE TO WIRE MONEY TO MEXICO? ABSOLUTELY IT'S
12:16PM 21 COMMON. IT HAPPENS EVERY DAY. YOU GO STAND OUTSIDE THE
12:16PM 22 WESTERN UNION ON FRIDAY, ALL DAY LONG PEOPLE ARE DOING IT.
12:16PM 23 THEY'RE WIRING MONEY BACK TO THEIR FAMILIES IN MEXICO, BECAUSE
12:16PM 24 NOT EVERYBODY THAT LIVES HERE BROUGHT THEIR FAMILY WITH THEM.
12:16PM 25 SO SHE DIDN'T SUSPECT ANYTHING WRONG. HE KNEW THAT AND HE TOOK

12:16PM 1 ADVANTAGE. HE ADMITTED HE DECEIVED HER.

12:16PM 2 I SAID, "WHY DIDN'T YOU DO IT?"

12:16PM 3 "WELL, I HAD BEEN DOING IT TOO MUCH AND I DIDN'T

12:16PM 4 WANT TO BE SUSPECTED OF WIRING TOO MUCH MONEY."

12:16PM 5 "WHERE DID THAT MONEY GO?"

12:16PM 6 "I HAVE NO IDEA."

12:16PM 7 WE DIDN'T HEAR FROM THE GOVERNMENT AS TO WHERE THAT
12:16PM 8 MONEY WAS GOING. WE HAVE NO IDEA. WE'RE SUPPOSED TO GUESS.

12:17PM 9 YOU HAVE LOTS OF EVIDENCE BY WAY OF DRUGS THAT WERE
12:17PM 10 SEIZED FROM BLANCA CAZARES'S HOUSE. A COUPLE OF IMPORTANT
12:17PM 11 THINGS ABOUT THAT AND MR. CAZARES'S TESTIMONY.

12:17PM 12 THE FIRST ONE IS: WHEN ASKED IF BLANCA CAZARES KNEW
12:17PM 13 ABOUT THE DRUGS THAT MR. CAZARES HID IN THAT BEDROOM UPSTAIRS,
12:17PM 14 SHE DOESN'T KNOW ABOUT IT AT ALL.

12:17PM 15 AND I ASKED HIM AGAIN, I ASKED HIM POINT-BLANK,
12:17PM 16 "YOU WANT THIS COURT TO BELIEVE THAT THAT'S THE TRUTH, THAT SHE
12:17PM 17 DIDN'T KNOW?"

12:17PM 18 "HONEST TO GOD, THAT'S THE TRUTH." THAT'S WHAT HE
12:17PM 19 SAID. SHE DIDN'T KNOW ABOUT IT.

12:18PM 20 YET, AGAIN, IN HIS PHONE CALL, THE CONSENSUAL PHONE
12:18PM 21 CALL THAT MR. MATA HAD HIM PLACE TO JUAN CARLOS VEGA, HE SAYS,
12:18PM 22 "MY EX-WIFE FOUND OUT ABOUT THE DRUGS. SHE WANTS ME OUT OF THE
12:18PM 23 HOUSE."

12:18PM 24 WHAT TIME IS HE TELLING THE TRUTH? IS HE TELLING
12:18PM 25 IT ON THE PHONE CALL OR IS HE TELLING IT ON THE STAND?

12:18PM 1 HE'S ADMITTED IN OPEN COURT THAT HE CARES ABOUT
12:18PM 2 NO ONE BUT HIMSELF. HE IS ABOUT SELF-PRESERVATION. AND
12:18PM 3 UNFORTUNATELY FOR HIM, THE ONLY THING HE COULD OFFER UP IN
12:18PM 4 THIS CASE IS HIS FRIEND JUAN CARLOS VEGA.

12:18PM 5 YOU HEARD TESTIMONY IN THIS CASE ABOUT PRIMO. AND
12:18PM 6 YOU HEARD THAT FROM SEVERAL PEOPLE. AND I'LL ADMIT TO YOU
12:19PM 7 THAT THE GOVERNMENT PROVED UP A PRETTY STRONG CASE AGAINST
12:19PM 8 MR. CAZARES. BECAUSE NOT ONLY DO WE HAVE MICHAEL HOANG
12:19PM 9 TESTIFYING AND ID'G RAMIRO CAZARES IN COURT, ANDY NGUYEN
12:19PM 10 IDENTIFIED HIM AND TESTIFIED AND ID'D HIM IN COURT, MANUEL
12:19PM 11 URBINA TESTIFIED ABOUT RAMIRO CAZARES IN COURT AND ID'D HIM IN
12:19PM 12 COURT. WHY? THE REASON IS, RAMIRO CAZARES WAS A RUNNER FOR
12:19PM 13 PRIMO.

12:19PM 14 YOU HEARD TESTIMONY FROM MANUEL URBINA THAT, YES, HE
12:19PM 15 DELIVERED THAT BLACK HONDA ACCORD TO HIM. TO WHOM? TO RAMIRO
12:19PM 16 CAZARES. WHO WAS WITH RAMIRO CAZARES WHEN HE GOT THE CAR? NO
12:19PM 17 ONE. NO ONE WAS. HE WENT ALONE.

12:19PM 18 YOU HEARD TESTIMONY REGARDING THAT CAR BEING FOUND
12:20PM 19 IN THE PARKING LOT AND MR. VEGA HAVING THE KEYS TO IT. WHY?
12:20PM 20 WHY DID HE HAVE THAT CAR? BECAUSE HIS BOSS AT WORK--AND BY
12:20PM 21 "WORK" I MEAN THE SHEETROCK, THE CARPENTRY, THE CONSTRUCTION
12:20PM 22 BUSINESS--LOANED HIM THAT CAR AND HE DROVE IT TO WORK.

12:20PM 23 WHY DO YOU SUPPOSE HE LOANED HIM THE CAR? BECAUSE
12:20PM 24 HE'S ALL ABOUT TRYING TO GET OTHER PEOPLE INVOLVED WITH THINGS
12:20PM 25 THAT ARE INCRIMINATING AND NOT INCRIMINATING HIMSELF. THE SAME

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12:20PM 1 REASON HE HAD SHISHANA AVINA WIRE THE MONEY, THE SAME REASON HE
12:20PM 2 TOLD AND WE TALKED ABOUT THIS TRIP TO IOWA, HE TOLD SHISHANA
12:20PM 3 AVINA, "HEY, I JUST NEED TO GO UP THERE AND PICK SOMETHING UP
12:21PM 4 FROM MY AUNT." BUT WHAT WE DON'T KNOW AND WHAT HE DIDN'T TELL
12:21PM 5 US WAS, HE WAS MAKING A MONEY RUN AGAIN. WHO DID HE TAKE?
12:21PM 6 SHISHANA AVINA.

12:21PM 7 IF JUAN CARLOS VEGA IS A RUNNER, WHY DIDN'T HE GO?
12:21PM 8 WHY DIDN'T HE GO WITH HIM? BECAUSE HE WASN'T A RUNNER.
12:21PM 9 BECAUSE HE WAS NOT A RUNNER.

12:21PM 10 WHEN DID ALL THIS HAPPEN? LADIES AND GENTLEMEN,
12:21PM 11 THIS CASE GOES BACK TO 2008, AND IT ENDS--AND YOU HAVE THIS
12:21PM 12 IN THE COURT'S INSTRUCTIONS TO YOU--ON APRIL 12TH OF THIS YEAR.
12:21PM 13 ON APRIL THE 9TH, EVERYONE THAT MR. CARLOS--JUAN CARLOS VEGA
12:21PM 14 KNOWS--RAMIRO CAZARES, SHISHANA AVINA, BLANCA CAZARES--THEY ALL
12:21PM 15 GET ARRESTED ON THE SAME DAY. THE SAME DAY. AND THEN NOBODY
12:21PM 16 GETS ARRESTED AFTER THAT.

12:21PM 17 BUT WHAT MR. CAZARES WANTS US TO BELIEVE AND WHAT
12:22PM 18 THE GOVERNMENT WANTS YOU TO BELIEVE IS THAT ON NUMEROUS
12:22PM 19 OCCASIONS--ON NUMEROUS OCCASIONS MR. JUAN CARLOS VEGA PICKED
12:22PM 20 UP MONEY AND PICKED UP DRUGS.

12:22PM 21 WHY IS THERE NO SURVEILLANCE OF THIS? WHAT WE DO
12:22PM 22 KNOW IS THAT RAMIRO CAZARES WAS UNDER SURVEILLANCE FOR SOME
12:22PM 23 PERIOD OF TIME. YOU DON'T GET A WARRANT TO SEARCH A HOUSE
12:22PM 24 IN 24 HOURS. THEY HAD ALREADY WORKED ALL THAT UP. THEY WERE
12:22PM 25 CASING THAT HOUSE. THEY KNEW ALL THE LOCATIONS. THEY KNEW

12:22PM 1 WHERE MR. CAZARES LIVED WITH HIS CURRENT WIFE, THEY KNEW
12:22PM 2 WHERE HE WAS STAYING WITH HIS EX-WIFE, THEY HAD THE ADDRESS,
12:22PM 3 PROBABLY GOT IT THE DAY OF ARREST OF JUAN CARLOS VEGA'S HOUSE
12:22PM 4 [SIC]. WHY? THERE WASN'T A WARRANT FOR THAT HOUSE. SO THEY
12:22PM 5 MUST HAVE LEARNED OF THAT LOCATION THE DAY HE GOT ARRESTED.
12:22PM 6 BECAUSE IN EVIDENCE THERE'S A CONSENT FORM TO SEARCH THE HOUSE.
12:22PM 7 MR. JUAN CARLOS VEGA GAVE AGENT MATA CONSENT TO SEARCH. WHY?
12:23PM 8 BECAUSE NOTHING WAS THERE. AND HE KNEW NOTHING WAS THERE.
12:23PM 9 SO I ASKED AGENT MATA ON THE STAND, "WELL, DID YOU
12:23PM 10 NOT TAKE PICTURES OF THAT HOUSE?"
12:23PM 11 "NO."
12:23PM 12 "WHY?"
12:23PM 13 "I DIDN'T HAVE A CAMERA."
12:23PM 14 "DID ANYONE HAVE A CAMERA?"
12:23PM 15 THE REASON THEY DIDN'T TAKE ANY PICTURES IS BECAUSE
12:23PM 16 THEY DIDN'T FIND ANYTHING THERE.
12:23PM 17 THEY TOOK PICTURES OF THE CAR. SO HE DID HAVE A
12:23PM 18 CAMERA. SO WHERE DID THAT CAMERA COME FROM? AND I'M SUPPOSING
12:23PM 19 THOSE PICTURES WERE MADE THE SAME DAY WHEN THEY SEARCHED THE
12:23PM 20 CAR, BECAUSE THAT'S WHAT HE TESTIFIED TO. BUT I ASKED HIM
12:23PM 21 WHY HE DIDN'T TAKE PICTURES OF THE HOUSE. "I DIDN'T HAVE A
12:23PM 22 CAMERA." THE UNITED STATES GOVERNMENT?
12:23PM 23 YOU SEE AND YOU HEARD AT THE BEGINNING OF THIS CASE
12:23PM 24 THE NUMBER OF WITNESSES THAT WERE ON THE WITNESS LIST. AND
12:23PM 25 HOW MANY AGENTS TESTIFIED? THREE. HOW MANY TESTIFIED ABOUT

12:24PM 1 JUAN CARLOS VEGA? ONE.

12:24PM 2 AND HOW DID WE GET THAT INFORMATION? BECAUSE AFTER
12:24PM 3 MR. CAZARES WAS ARRESTED, HE GAVE THEM A STORY. SO THE
12:24PM 4 STATEMENT--AND YOU HAVE AN INSTRUCTION ON A STATEMENT. AND
12:24PM 5 I WANT YOU TO READ THAT AND RE-READ THAT. THE REASON IT'S SO
12:24PM 6 IMPORTANT FOR THE GOVERNMENT TO PRESERVE EVIDENCE IS SO I CAN'T
12:24PM 7 STAND UP HERE AND SAY, "THE REASON THEY DIDN'T RECORD THAT IS
12:24PM 8 BECAUSE AGENT MATA LED HIM INTO GIVING THE ANSWERS THAT HE
12:24PM 9 WANTED." HOW DOES THAT WORK IN SOMETHING LIKE THIS? "WE
12:24PM 10 ARRESTED YOUR FRIEND MR. CAZARES AND HE SAYS YOU ARE INVOLVED."

12:24PM 11 "DO YOU KNOW SOMEBODY NAMED PRIMO?"

12:24PM 12 MR. GONZALEZ: YOUR HONOR, I'M GOING TO OBJECT TO
12:24PM 13 HIM ARGUING FACTS NOT IN EVIDENCE. IT'S PURE SPECULATION ON
12:24PM 14 HIS PART. THOSE FACTS ARE NOT IN EVIDENCE. NO ONE TESTIFIED
12:24PM 15 TO IT.

12:24PM 16 THE COURT: WAIT JUST A MOMENT.

12:25PM 17 YOUR ARGUMENT IS THAT AGENT MATA LED HIM INTO GIVING
12:25PM 18 ANSWERS HE DIDN'T WANT TO GIVE?

12:25PM 19 MR. PETRAZIO: YOUR HONOR, FOR THE SAKE OF
12:25PM 20 ARGUMENT--THIS IS ARGUMENT--HYPOTHETICALLY, I'M GIVING THE
12:25PM 21 JURY A REASON WHY THAT CONVERSATION, PURPORTED STATEMENT
12:25PM 22 AND CONFESSION WAS NOT RECORDED IN ANY FASHION.

12:25PM 23 THE COURT: LADIES AND GENTLEMEN, THIS IS FINAL
12:25PM 24 ARGUMENT. THE LAWYERS CAN CERTAINLY ARGUE THEIR POINT OF VIEW
12:25PM 25 ABOUT THE EVIDENCE. BUT YOU HEARD THE EVIDENCE, AND YOU NEED

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12:25PM 1 TO RELY ON YOUR OWN MEMORY AND NOTES ABOUT WHAT YOU HEARD.

12:25PM 2 GO AHEAD, MR. PETRAZIO.

12:25PM 3 MR. PETRAZIO: SO IT COULD GO SOMETHING LIKE THIS:

12:25PM 4 "DO YOU KNOW WHO PRIMO IS?"

12:25PM 5 "YEAH. MR. CAZARES TOLD ME PRIMO WAS A DRUG

12:25PM 6 SUPPLIER IN MEXICO."

12:25PM 7 SO YOU KNOW PRIMO. SO THEY CAN COME IN AND TESTIFY

12:25PM 8 HE KNEW WHO PRIMO WAS.

12:25PM 9 IF EVERYTHING THAT JUAN CARLOS VEGA TOLD AGENT MATA

12:25PM 10 WAS RELAYED BY MR. CAZARES, MR. CAZARES MAY HAVE TOLD HIM WHERE

12:26PM 11 HE HID THE DRUGS.

12:26PM 12 "SO YOU KNOW WHERE THE DRUGS--"

12:26PM 13 "YEAH, HE TOLD ME HE PUT THEM IN THE CLOSET UP THERE

12:26PM 14 IN THE HOUSE ON BRITON."

12:26PM 15 "OH, SO YOU KNEW WHERE THEY WERE."

12:26PM 16 SO THEY CAN PRESENT TO YOU HE HAD KNOWLEDGE OF WHERE

12:26PM 17 THEY WERE. WHERE DOES ALL THAT KNOWLEDGE COME FROM? IT ALL

12:26PM 18 COMES FROM ONE SOURCE WITH RESPECT TO JUAN CARLOS VEGA. THAT'S

12:26PM 19 RAMIRO CAZARES. ONE SOURCE. AND BECAUSE WE DON'T HAVE A

12:26PM 20 RECORDED STATEMENT OR A WRITTEN CONFESSION OR A STATEMENT FROM

12:26PM 21 MR. VEGA, I DON'T KNOW HOW THEY GOT THAT INFORMATION. AND I

12:26PM 22 DON'T KNOW HOW IT WAS PRESENTED TO MR. VEGA. HE MAY HAVE

12:26PM 23 ADMITTED THAT HE KNEW THAT MR. CAZARES WAS INVOLVED IN DRUG

12:26PM 24 TRAFFICKING. HE SURE DIDN'T KNOW THAT MR. CAZARES HAD

12:26PM 25 IMPLICATED HIM IN GOING WITH HIM TO DO THIS STUFF. IF HE

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12:26PM 1 KNEW THAT, MAYBE HE WOULDN'T HAVE BEEN AS COOPERATIVE. HE
12:26PM 2 WAS TRYING TO PROTECT--EVERYTHING THAT YOU SAW HIM DO, HE WAS
12:27PM 3 TRYING TO PROTECT HIS BOSS. WHY? BECAUSE THAT'S WHAT LOYAL
12:27PM 4 EMPLOYEES DO.

12:27PM 5 MAYBE THEY HAD AN AGREEMENT ABOUT GETTING RID OF A
12:27PM 6 PHONE BECAUSE HE KNEW THAT MR. CAZARES WAS INVOLVED IN DRUG
12:27PM 7 TRAFFICKING. "IF ANYTHING HAPPENS, GET RID OF THE PHONE."
12:27PM 8 MAYBE THAT WAS THE AGREEMENT. OKAY. DOES THAT MEAN THAT
12:27PM 9 MR. JUAN CARLOS VEGA IS INVOLVED IN A CONSPIRACY? NO, IT DOES
12:27PM 10 NOT. LOOK AT THE INSTRUCTIONS THE COURT HAS GIVEN YOU. YOU
12:27PM 11 HAVE THAT INSTRUCTION. YOU ARE INSTRUCTED--AND I'LL POINT OUT
12:27PM 12 THAT IN A ACCOMPLICE/CODEFENDANT PLEA-AGREEMENT PARAGRAPH IT
12:27PM 13 SAYS, "YOU SHOULD KEEP IN MIND THAT SUCH TESTIMONY"--SUCH
12:27PM 14 TESTIMONY AS MR. CAZARES IS ALWAYS TO BE RECEIVED WITH CAUTION
12:27PM 15 AND WEIGHED WITH GREAT CARE. YOU SHOULD NEVER CONVICT A
12:27PM 16 DEFENDANT UPON THE UNSUPPORTED TESTIMONY OF AN ALLEGED
12:27PM 17 ACCOMPLICE UNLESS YOU BELIEVE THAT TESTIMONY BEYOND A
12:27PM 18 REASONABLE DOUBT."

12:27PM 19 WELL, FOLKS, THAT'S WHAT THIS CASE REALLY COMES
12:28PM 20 DOWN TO FOR JUAN CARLOS VEGA. DO YOU BELIEVE THE UNSUPPORTED
12:28PM 21 TESTIMONY OF RAMIRO CAZARES? AND DO YOU BELIEVE THAT ALL THE
12:28PM 22 KNOWLEDGE AND THE STATEMENT THAT PURPORTEDLY WAS GIVEN BY
12:28PM 23 MR. JUAN CARLOS VEGA TO AGENT MATA WAS DONE SO IN A MANNER THAT
12:28PM 24 IT WASN'T DONE IN A LEADING FASHION, WHERE HE DIDN'T SUGGEST
12:28PM 25 THE ANSWERS TO HIM? "DO YOU KNOW WHO PRIMO IS? DO YOU KNOW

12:28PM 1 WHERE THE DRUGS ARE? DO YOU KNOW THIS? DO YOU KNOW THAT?"
12:28PM 2 WE HAVE NO SURVEILLANCE, WE HAVE NO ONE WHO TOOK THE STAND AND
12:28PM 3 TESTIFIED THAT AT ANY POINT IN TIME JUAN CARLOS VEGA DELIVERED
12:28PM 4 DRUGS TO THEM, PICKED UP MONEY FROM THEM.

12:28PM 5 AND YOU HAVE TESTIMONY FROM MR. CAZARES, AND HIS
12:28PM 6 TESTIMONY ALWAYS GETS FOGGY WHEN HE TALKS ABOUT JUAN CARLOS
12:28PM 7 VEGA. "TWO GIRLS." WHO ARE THOSE TWO GIRLS? WE HEARD FROM
12:29PM 8 A LOT OF GIRLS IN THIS CASE--A LOT OF WOMEN IN THIS CASE THAT
12:29PM 9 WERE RUNNERS. PRISCILLA CAMACHO, PERHAPS, WAS ONE OF THEM.
12:29PM 10 SHE DIDN'T RECOGNIZE OR ID MR. JUAN CARLOS VEGA. AND BELIEVE
12:29PM 11 ME, IF THE GOVERNMENT ASKED HER AND IF SHE KNEW, SHE WOULD
12:29PM 12 HAVE TESTIFIED, "YEAH, THAT'S THE GUY I PICKED IT UP FROM OR
12:29PM 13 DELIVERED IT TO." WE DON'T HAVE ANY OF THAT. WE HAVE ONE
12:29PM 14 PERSON.

12:29PM 15 LOOK AT THE PHONE CALL THAT YOU HAVE, THE
12:29PM 16 TRANSCRIPTION. HE KEEPS ASKING HIM, "DO YOU WANT ME TO GO OVER
12:29PM 17 THERE? DO YOU WANT ME TO DO THIS? DO YOU WANT ME TO COOK?"

12:29PM 18 "NO, NO, NO, NO. NOTHING, MAN."

12:29PM 19 "DO YOU WANT ME TO GO?"

12:29PM 20 HE'S ASKING HIS BOSS WHAT HE WANTS HIM TO DO.

12:29PM 21 AND THEN THIS CONVERSATION SWITCHES. "NO, NO, I
12:30PM 22 HAVEN'T GOTTEN ANY NEWS FROM THE COUSIN OVER THERE." AND THE
12:30PM 23 GOVERNMENT IS GONNA TELL YOU THAT'S PRIMO.

12:30PM 24 "HAVE YOU FOUND OUT ANYTHING?"

12:30PM 25 AND THE TRANSCRIPT WHICH IS IN EVIDENCE SAYS, "NO,

12:30PM 1 **MAN, NOTHING."**

12:30PM 2 "THEY DIDN'T CALL YOU? HAVEN'T THEY CALLED YOU

12:30PM 3 **SINCE YESTERDAY?"**

12:30PM 4 **THE REASON MR. CARLOS VEGA IS ASKING MR. CAZARES**

12:30PM 5 **THAT IS BECAUSE THAT'S WHO PRIMO CALLS. HE CALLS MR. CAZARES.**

12:30PM 6 **THE ONLY ONE SUGGESTING THAT PRIMO MAY HAVE CALLED**

12:30PM 7 **MR. JUAN CARLOS VEGA IS MR. CAZARES. WHY? BECAUSE PRIOR TO**

12:30PM 8 **THIS PHONE CALL, THIS CONSENSUAL PHONE CALL, HE WAS TOLD BY**

12:30PM 9 **AGENT MATA SOME OF THE THINGS THAT HE NEEDED TO GET MR. JUAN**

12:30PM 10 **CARLOS VEGA TO SAY IN ORDER TO IMPLICATE HIM SO THEY COULD**

12:30PM 11 **ARREST HIM, TOO. BECAUSE THEY DIDN'T HAVE ANY EVIDENCE ON**

12:30PM 12 **MR. JUAN CARLOS VEGA. NO EVIDENCE ON HIM UNTIL MR. RAMIRO**

12:31PM 13 **CAZARES GETS ARRESTED. THAT'S ON APRIL 9TH, 2012. THIS**

12:31PM 14 **INVESTIGATION CEASED, FOR PURPOSES OF THIS CONSPIRACY, ON**

12:31PM 15 **APRIL 12TH, 2012.**

12:31PM 16 **JUAN CARLOS VEGA HAS SAT THERE WITH ME THIS ENTIRE**

12:31PM 17 **TRIAL. MOST OF THESE PEOPLE, WITH THE EXCEPTION OF RAMIRO**

12:31PM 18 **CAZARES, HE'S NEVER SEEN BEFORE, HE'S NEVER MET BEFORE. HE HAS**

12:31PM 19 **NO IDEA WHO EVEN THE PEOPLE SITTING AT COUNSEL TABLE ARE WITH**

12:31PM 20 **HIM. HE'S NEVER MET THEM BEFORE. AND YET HE'S IN THIS**

12:31PM 21 **CONSPIRACY. AND HE'S PROBABLY ASKING HIMSELF, "WHY IS MY BOSS**

12:31PM 22 **DOING THIS TO ME? WHY IS HE TRYING TO TAKE ME DOWN WITH HIM?"**

12:32PM 23 **LADIES AND GENTLEMEN, BECAUSE THAT IS WHAT A**

12:32PM 24 **DROWNING MAN DOES.**

12:32PM 25 **THANK YOU.**

CLOSING STATEMENT BY THE GOVERNMENT

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12:32PM 1 THE COURT: THANK YOU, MR. PETRAZIO.

12:32PM 2 MR. GONZALEZ.

12:32PM 3 CLOSING STATEMENT ON BEHALF OF THE GOVERNMENT

12:32PM 4 MR. GONZALEZ: LADIES AND GENTLEMEN, IT'S ALWAYS

12:32PM 5 INTERESTING IN CLOSING AND HEARING THE CLOSING OF DEFENSE

12:32PM 6 COUNSEL HOW THEY PICK APART CERTAIN LITTLE THINGS AND THEY

12:32PM 7 TELL YOU, "FOCUS ON THIS" OR "FOCUS ON THAT," AND THEN THEY

12:32PM 8 TURN AROUND AND SAY, "BELIEVE THE PERSON THAT TOLD YOU THAT.

12:32PM 9 BELIEVE THE PERSON THAT ENTERED INTO A PLEA AGREEMENT WITH

12:33PM 10 THE GOVERNMENT. BELIEVE THEM WHEN THEY TELL YOU THIS, BUT

12:33PM 11 WHEN THEY TALK ABOUT MY CLIENT AND TALK ABOUT MY CLIENT'S

12:33PM 12 INVOLVEMENT, DON'T BELIEVE THEM." THEY WANT YOU TO BELIEVE

12:33PM 13 CERTAIN THINGS AND DISBELIEVE OTHER THINGS.

12:33PM 14 THAT'S WHY I TOLD YOU IN VOIR DIRE, IN SELECTING

12:33PM 15 YOU, THAT WE WERE LOOKING FOR PEOPLE THAT COULD LISTEN TO THE

12:33PM 16 ENTIRE CASE, LOOK AT ALL THE EVIDENCE, NOT PIECES AND BITS AND

12:33PM 17 PIECES. BECAUSE THAT'S WHAT THEY WANT YOU TO DO. BUT I AM

12:33PM 18 CERTAIN THAT ONCE YOU LOOK AT THE TOTALITY OF THE EVIDENCE

12:33PM 19 THAT THE GOVERNMENT HAS PROVIDED THAT YOU'LL BE CONVINCED THAT

12:33PM 20 THESE INDIVIDUALS COMMITTED THE OFFENSES THAT THEY'RE CHARGED

12:33PM 21 WITH.

12:33PM 22 LET ME START WITH MR. VEGA, BECAUSE THAT'S THE ONE

12:33PM 23 YOU JUST HEARD FROM HERE AT THE END. YOU HAVE TO USE YOUR

12:33PM 24 REASON AND COMMON SENSE AS JURORS, LADIES AND GENTLEMEN. YOU

12:33PM 25 HAVE THE TRANSCRIPT OF THAT RECORDING. YOU HAVE THE RECORDING.

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12:34PM 1 AND IF YOU DON'T UNDERSTAND SPANISH, YOU HAVE THE TRANSCRIPT.
12:34PM 2 BUT YOU CAN ALSO LISTEN TO THE TONE OF THE CONVERSATION AND YOU
12:34PM 3 CAN TELL WHO'S LEADING THE CONVERSATION. IT ISN'T MR. CAZARES
12:34PM 4 THAT BRINGS UP THE ISSUE OF COOKING; IT'S MR. VEGA. AND THAT'S
12:34PM 5 CLEAR AND APPARENT AND CLEAR AS DAY.

12:34PM 6 AND IT'S NOT MR. CAZARES THAT'S TELLING HIM, "LET'S
12:34PM 7 GO OVER THERE AND COOK." IT'S THIS DEFENDANT.

12:34PM 8 AND THEN WHEN HE SAYS, "MY WIFE HAS FOUND OUT THAT
12:34PM 9 THE BALLS ARE THERE"--HE DOESN'T SAY THAT THE DRUGS ARE THERE,
12:34PM 10 THAT THE BALLS ARE THERE--HE SAYS, "WELL, LET'S TAKE THEM AND
12:34PM 11 PUT THEM IN A SECURE PLACE." SO IT SHOWS THAT HE KNOWS EXACTLY
12:34PM 12 WHAT HE'S TALKING ABOUT, THAT'S HE'S TALKING ABOUT DRUGS. HE
12:34PM 13 DOESN'T SAY THE WORD "DRUGS"; HE SAYS "BALLS." NOW, IF THEY'RE
12:34PM 14 REGULAR BASKETBALLS, FOOTBALLS, THEN WHY WOULD YOU WANT TO
12:34PM 15 TAKE THEM AND PUT THEM IN A SECURE PLACE? BUT IT SHOWS HIS
12:35PM 16 KNOWLEDGE OF WHAT'S GOING ON, IT SHOWS HIS WILLINGNESS TO
12:35PM 17 PARTICIPATE IN THIS.

12:35PM 18 AND RECALL WHAT I TOLD YOU IN THE VOIR DIRE--AND
12:35PM 19 IT'S IN THE INSTRUCTIONS--THAT IF A PERSON IS INVOLVED ON ONE
12:35PM 20 OCCASION, EVEN IF YOU BELIEVE THAT THIS IS THE ONE OCCASION
12:35PM 21 THAT HE WAS INVOLVED, THAT IS SUFFICIENT TO FIND HIM GUILTY OF
12:35PM 22 CONSPIRACY. BUT I SUBMIT TO YOU THAT HE WAS INVOLVED MORE THAN
12:35PM 23 THAT ONE OCCASION. AND HE DID THAT AT THE TIME THAT HE
12:35PM 24 ADMITTED TO AGENT MATA.

12:35PM 25 DEFENSE COUNSEL WANTS YOU TO BELIEVE THAT AGENT MATA

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12:35PM 1 HAS SOME SORT OF PERSONAL VENDETTA AGAINST HIM, THAT HE'S GOING
12:35PM 2 TO LEAD HIM THROUGH THIS CONFESSION. AND HE LAYS OUT THIS
12:35PM 3 SCENARIO THAT HE'S SPECULATING THAT AGENT MATA DID. AGENT MATA
12:35PM 4 ASKED HIM, "DO YOU KNOW ANY INFORMATION ABOUT THE DEALINGS OF
12:35PM 5 CAZARES?" AND THEN HE GAVE HIM THAT STATEMENT, THE STATEMENT
12:35PM 6 THAT YOU HAVE HEARD, WHERE HE ACKNOWLEDGES PICKING UP MONEY,
12:35PM 7 \$30,000 ON TWO OCCASIONS. WAS THAT A NUMBER THAT AGENT MATA
12:35PM 8 PULLED OUT OF HIS HEAD AND PUT INTO HIS HEAD? NO. THAT'S A
12:36PM 9 STATEMENT THAT HE GAVE, THAT HE WAS INVOLVED WITH \$30,000.

12:36PM 10 AND WHAT DO YOU KNOW ABOUT A KILO OF METHAMPHETAMINE
12:36PM 11 IN THIS TRIAL? SO YOU HAVE TO PUT ALL OF THAT TOGETHER. "WHAT
12:36PM 12 DO YOU KNOW ABOUT A KILO OF METHAMPHETAMINE?"

12:36PM 13 "THAT IT COSTS ABOUT \$30,000."

12:36PM 14 SO IF HE'S ADMITTING TO PICKING UP \$30,000, HE'S
12:36PM 15 ADMITTING TO PICKING UP ONE KILO OF METHAMPHETAMINE, BECAUSE
12:36PM 16 THAT'S WHAT THAT MONEY WAS. IT WAS THE PROCEEDS FROM A DRUG
12:36PM 17 TRANSACTION FOR THAT QUANTITY OF DRUGS.

12:36PM 18 SO, YES, YOU CAN MAKE WHATEVER INFERENCES REASON
12:36PM 19 AND COMMON SENSE LEAD YOU TO MAKE. AND THAT'S BASED ON WHAT
12:36PM 20 YOU'VE HEARD IN HERE AND YOUR COMMON LIFE'S EXPERIENCES, LADIES
12:36PM 21 AND GENTLEMEN. AND WHAT YOU'VE HEARD IN HERE IS THAT--BECAUSE
12:36PM 22 YOU DON'T KNOW THAT BEFORE YOU COME INTO THIS COURTROOM. YOU
12:36PM 23 DON'T KNOW HOW MUCH A KILO OF METHAMPHETAMINE COSTS. BUT NOW
12:36PM 24 YOU DO. SO NOW THAT YOU HAVE THAT EVIDENCE, APPLY IT TO THE
12:36PM 25 FACTS OF THIS CASE. AND WHEN YOU APPLY IT TO THE FACTS OF

12:36PM 1 THIS CASE, YOU REACH THE INFERENCE OR THE CONCLUSION THAT
12:36PM 2 THIS DEFENDANT KNEW EXACTLY WHAT HE WAS TRANSPORTING, WHICH
12:37PM 3 WAS \$30,000. THAT \$30,000 WAS THE PROCEEDS FROM THE SALE
12:37PM 4 OF METHAMPHETAMINE, WHICH IS EQUIVALENT TO ONE KILO OF
12:37PM 5 METHAMPHETAMINE. SO THOSE ARE THE THINGS THAT YOU HAVE TO LOOK
12:37PM 6 FOR.

12:37PM 7 SO WHEN YOU PICK AND CHOOSE LITTLE SECTIONS, YOU
12:37PM 8 LOSE THE TOTALITY OF WHAT'S GOING ON HERE. AND THE TOTALITY OF
12:37PM 9 WHAT'S GOING ON HERE IS WHAT'S DEPICTED ON THE SCREEN, LADIES
12:37PM 10 AND GENTLEMEN. YOU HAVE PEOPLE IN MEXICO SENDING DRUGS TO THE
12:37PM 11 UNITED STATES BECAUSE IT'S A LUCRATIVE THING TO DO. BECAUSE
12:37PM 12 WHEN YOU TAKE A KILO OF METHAMPHETAMINE AND YOU BREAK IT DOWN
12:37PM 13 TO A GRAM--AND YOU HEARD--THAT'S ANOTHER THING THAT YOU HEARD
12:37PM 14 AT THIS TRIAL--THAT IS A HUNDRED DOLLARS' WORTH OF
12:37PM 15 METHAMPHETAMINE. WHEN YOU TAKE A KILO, WHICH IS A THOUSAND
12:37PM 16 GRAMS, AND YOU BREAK IT DOWN TO A HUNDRED-DOLLAR PORTION, HOW
12:37PM 17 MUCH IS A KILO OF METHAMPHETAMINE WORTH? A HUNDRED THOUSAND
12:37PM 18 DOLLARS.

12:38PM 19 IT'S A DIRTY BUSINESS. IT'S A BUSINESS ABOUT MAKING
12:38PM 20 MONEY. OF COURSE, IT WOULD TAKE A LOT OF WORK AND EFFORT TO
12:38PM 21 BREAK IT DOWN TO ONE-GRAM QUANTITIES. AND THEY DON'T DO THAT.
12:38PM 22 THEY DON'T DO THAT BECAUSE IT EXPOSES THEM TO LAW ENFORCEMENT,
12:38PM 23 BECAUSE THEY HAVE TO MAKE MORE TRANSACTIONS. AND THE MORE
12:38PM 24 TRANSACTIONS YOU MAKE, THE MORE LIKELY IT IS THAT YOU ARE GONNA
12:38PM 25 GET CAUGHT. SO THEY BREAK IT DOWN INTO LARGER QUANTITIES.

12:38PM 1 BUT THAT IS WHAT WE'RE TALKING ABOUT, MAKING A LOT OF MONEY
12:38PM 2 DISTRIBUTING A DIRTY DRUG.

12:38PM 3 AND THE WAY THAT THAT DRUG COMES INTO THE UNITED
12:38PM 4 STATES IS BY THESE INDIVIDUALS UP HERE, TAVO, PRIMO, COOL GUY
12:38PM 5 AND PELON. THOSE ARE THE GUYS IN MEXICO THAT ARE SENDING THE
12:38PM 6 DRUGS. YOU HEARD THAT REPEATEDLY THROUGH THE WITNESSES.
12:38PM 7 THEY'VE IDENTIFIED THEIR SOURCES OF SUPPLY.

12:38PM 8 THE DRUGS THEN GET TO RAMIRO CAZARES AND JUAN CARLOS
12:38PM 9 VEGA. THAT'S THE FIRST LINE OF DISTRIBUTION. THEY HAVE THEIR
12:38PM 10 PART IN THIS.

12:38PM 11 NOW, DO RAMIRO CAZARES AND JUAN CARLOS VEGA HAVE TO
12:38PM 12 KNOW CHRISTINA HOUSE DOWN HERE IN THE BOTTOM? ABSOLUTELY NOT.
12:39PM 13 THE INSTRUCTIONS TELL YOU THAT. THEY DON'T HAVE TO KNOW EACH
12:39PM 14 OTHER. BECAUSE IF CHRISTINA HOUSE IS IN THE BUSINESS, IN THE
12:39PM 15 DRUG BUSINESS, AND SHE WANTS TO GET A BETTER PRICE, SHE'S GONNA
12:39PM 16 GO TO THE SOURCES OF SUPPLY.

12:39PM 17 WE WENT OVER THAT DURING VOIR DIRE WHEN I TOLD
12:39PM 18 YOU THAT SCENARIO WHERE AGENT MATA IS THE SOURCE OF SUPPLY,
12:39PM 19 MS. BATSON IS SELLING TO ME. AND I ASKED YOU: WHAT WOULD THE
12:39PM 20 PERSON DO IF I KNEW--IF HE KNEW I WAS PAYING \$15,000? HE WOULD
12:39PM 21 COME AND SELL TO ME AND WE WOULD CUT OUT THE MIDDLEMAN. THAT'S
12:39PM 22 WHY ALL THE PEOPLE DON'T HAVE TO KNOW EACH OTHER.

12:39PM 23 SO THE ARGUMENT ABOUT "MY CLIENT, MR. VEGA,
12:39PM 24 DOESN'T KNOW ANY OF THE OTHER PEOPLE SITTING HERE OR IN THIS
12:39PM 25 CONSPIRACY," THE JUDGE TELLS YOU OTHERWISE IN THE CHARGE. THEY

12:39PM 1 DON'T HAVE TO KNOW EACH OTHER. THAT'S NOT REQUIRED. THAT'S
12:39PM 2 NOT A REQUIREMENT.

12:39PM 3 SO WHEN MS. BATSON SAYS, "DON'T GO DOWN THESE BUNNY
12:39PM 4 TRAILS," THAT'S WHAT WE'RE TALKING ABOUT.

12:39PM 5 AND FOR MR. WHALEN TO SAY HE'S INSULTED, THAT'S THE
12:39PM 6 ARGUMENT THAT THEY'RE MAKING TO YOU. AND THAT'S WHY MS. BATSON
12:39PM 7 SAID THAT. BECAUSE THEY WANT YOU TO GO OFF ON SOME TRAIL AND
12:40PM 8 GET LOST ON SOME TECHNICALITY WHEN THE FACT OF THE MATTER IS
12:40PM 9 THIS IS THE DISTRIBUTION HERE. THE INDIVIDUALS COME HERE AND
12:40PM 10 THIS IS THE FIRST LINE OF DISTRIBUTION.

12:40PM 11 AND THEN YOU HAVE ANDY NGUYEN AND FERNANDO PERALES.
12:40PM 12 AND THEY BOTH CAME IN HERE AND LAID OUT THEIR ORGANIZATION.
12:40PM 13 THEY TOLD YOU HOW IT WAS RUNNING, THEY TOLD YOU THE MONEYS
12:40PM 14 THAT THEY WERE MAKING.

12:40PM 15 DEFENSE COUNSEL ARGUES, "WELL, ANDY NGUYEN HAS ALL
12:40PM 16 THESE ASSETS AND ALL THESE THINGS." AND WHAT DOES THAT PROVE?
12:40PM 17 DOES THAT PROVE THAT THESE OTHER PEOPLE ARE NOT GUILTY, THAT
12:40PM 18 THESE DEFENDANTS HERE ARE NOT GUILTY? MAYBE HE'S A BETTER
12:40PM 19 BUSINESSMAN, MAYBE HE WAS SELLING LARGER QUANTITIES. I MEAN,
12:40PM 20 WE HEAR IT EVERY DAY. WE HAVE MILLIONAIRE ATHLETES WHO SIGN A
12:40PM 21 MILLION-DOLLAR CONTRACT AND THEN TURN OUT TO BE BANKRUPT AT THE
12:40PM 22 END OF THE DAY, AT THE END OF THEIR CAREERS. WHY? THEY DIDN'T
12:40PM 23 KNOW HOW TO HANDLE THEIR FINANCES. SO TO SAY, "WELL, THESE
12:40PM 24 INDIVIDUALS HERE DIDN'T HAVE ANY MONEY, SO, THEREFORE, THEY'RE
12:41PM 25 NOT GUILTY," THAT'S A BUNNY TRAIL, THAT'S A DISTRACTION, AND

12:41PM 1 THAT'S SMOKE IN THIS COURTROOM, BECAUSE THAT DOESN'T PROVE
12:41PM 2 ANYTHING.

12:41PM 3 NOW, THE FIRST LINE OF DISTRIBUTION? THEY
12:41PM 4 TESTIFIED--NUMEROUS INDIVIDUALS CAME IN HERE AND TOLD HOW IT
12:41PM 5 WAS BEING DISTRIBUTED. AND THE ULTIMATE GOAL WAS TO GET IT TO
12:41PM 6 SHERMAN-DENISON AND HAVE THE DISTRIBUTION GO ON THERE SO THEY
12:41PM 7 COULD MAKE THE DISTRIBUTION AND MAKE MONEY. NOT ONLY TO
12:41PM 8 SUPPORT THEIR HABITS. THEY CAME IN HERE AND ADMITTED THAT
12:41PM 9 THEY HAD HABITS, THAT THEY WERE USING.

12:41PM 10 AND THAT'S ANOTHER THING. WHEN THEY CAME IN HERE
12:41PM 11 AND WE ASKED THEM, "HOW MUCH ARE YOU USING?"

12:41PM 12 "ONE GRAM."

12:41PM 13 I THINK THE MOST ANYONE SAID WAS TWO GRAMS A DAY.
12:41PM 14 SO IF THAT'S WHAT THEY'RE USING AND THEY'RE PICKING UP AN
12:41PM 15 OUNCE, WHICH IS 28 GRAMS, AND THEY'RE USING ONE GRAM, WHAT ARE
12:41PM 16 THEY DOING WITH THE OTHER 27 GRAMS OR THE OTHER 26 GRAMS? WHAT
12:41PM 17 INFERENCE CAN YOU DRAW FROM THAT? THE CIRCUMSTANTIAL EVIDENCE
12:41PM 18 IS THAT THEY'RE DISTRIBUTING NOT ONLY TO MAKE MONEY BUT TO HAVE
12:41PM 19 MONEY TO PAY FOR THEIR ADDICTION. SO DON'T LOSE SIGHT OF THAT,
12:42PM 20 THAT JUST BECAUSE THE NUMBERS ARE NOT ADDING UP OR WHAT THEY
12:42PM 21 ARE SAYING IS NOT ADDING UP. THINK ABOUT THE EVIDENCE IN THAT
12:42PM 22 LIGHT.

12:42PM 23 NOW, MS. BATSON SAID WHEN DEFENSE COUNSEL COME
12:42PM 24 UP HERE, THEY'RE GONNA SAY, "DON'T BELIEVE ANYTHING THEY SAY
12:42PM 25 BECAUSE THEY'RE ADDICTS. DON'T BELIEVE ANYTHING THEY SAY

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12:42PM 1 BECAUSE THEY HAVE PLEA AGREEMENTS." THE JUDGE TELLS YOU
12:42PM 2 OTHERWISE. THE JUDGE TELLS YOU IN THE INSTRUCTIONS THAT
12:42PM 3 THEIR TESTIMONY ALONE, IF YOU BELIEVE THEIR TESTIMONY BEYOND
12:42PM 4 A REASONABLE DOUBT AND THEIR TESTIMONY PROVES EACH AND EVERY
12:42PM 5 ONE OF THE ELEMENTS BEYOND A REASONABLE DOUBT, THAT THAT IS
12:42PM 6 SUFFICIENT FOR YOU TO FIND THESE DEFENDANTS GUILTY. AND
12:42PM 7 THAT'S IN THE INSTRUCTIONS, LADIES AND GENTLEMEN.

12:42PM 8 AND I KNOW DEFENSE COUNSEL ARGUES THAT YOU SHOULDN'T
12:42PM 9 RELY IF IT'S NOT SUPPORTED, IF IT'S UNSUPPORTED. WELL, LET
12:42PM 10 ME TALK TO YOU ABOUT THAT. WHAT DOES THAT MEAN, THAT IT'S
12:42PM 11 UNSUPPORTED? IT MEANS THAT THERE HAS TO BE CORROBORATION.
12:42PM 12 OKAY? AND CORROBORATION IS THE TESTIMONY OR EVIDENCE OF ONE
12:42PM 13 PERSON THAT TENDS TO SUPPORT THE TESTIMONY OR EVIDENCE OF
12:43PM 14 ANOTHER PERSON. WHAT DOES THAT MEAN? IF ONE PERSON COMES
12:43PM 15 IN HERE AND TESTIFIES THAT THEY SAW SOMETHING OR THEY DID
12:43PM 16 SOMETHING, AND THEN ANOTHER PERSON COMES IN HERE AND TELLS YOU
12:43PM 17 EXACTLY THE SAME THING, THEY'RE CORROBORATING ONE ANOTHER. IF
12:43PM 18 ONE PERSON COMES IN HERE AND SAYS, "I RENTED CARS FOR THEM TO
12:43PM 19 USE TO GO TO DALLAS AND PICK UP THE DRUGS," AND THEN WE PRESENT
12:43PM 20 YOU WITH THE RENTAL AGREEMENTS AND HE ACKNOWLEDGES "THOSE ARE
12:43PM 21 THE CARS I RENTED," THAT'S CORROBORATION. SO LOOK FOR THOSE
12:43PM 22 THINGS, LADIES AND GENTLEMEN. REASON AND COMMON SENSE AND
12:43PM 23 APPLICATION OF THE FACTS TO THIS CASE.

12:43PM 24 NOW, WHEN THEY SAY, "THERE IS NO EVIDENCE AGAINST
12:43PM 25 MY CLIENT. THEY SEIZED ALL THIS EVIDENCE AT BRITON COURT, THEY

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12:43PM 1 SEIZED DRUGS FROM BOBBY JAMES, THEY SEIZED DRUGS FROM KENNETH
12:43PM 2 HOUSE, ALL THIS OTHER PHYSICAL EVIDENCE WAS SEIZED FROM OTHER
12:43PM 3 PERSONS, NOT MY CLIENT, AND IT DOESN'T APPLY TO MY CLIENT, "
12:43PM 4 WELL, I DISAGREE. IT DOES APPLY TO THEIR CLIENT, BECAUSE
12:44PM 5 THE JUDGE TELLS YOU THAT WHEN YOU ARE IN A CONSPIRACY, IT'S A
12:44PM 6 PARTNERSHIP IN CRIME, THAT EACH PERSON BECOMES AN AGENT FOR THE
12:44PM 7 OTHER PERSON. SO IF THEY'RE AGENTS OF ONE ANOTHER, WHAT WAS
12:44PM 8 FOUND IN BRITON COURT IS ATTRIBUTABLE TO THEM, TOO. BECAUSE
12:44PM 9 THEY'RE FACILITATING THAT TRANSACTION. THEY'RE FACILITATING
12:44PM 10 THE MONEY THAT'S GOING BACK TO MEXICO THAT'S THEN ACQUIRING
12:44PM 11 MORE DRUGS THAT'S THEN MAKING IT INTO THE UNITED STATES THAT
12:44PM 12 IS THEN SEIZED AT BRITON COURT. AND THE ARGUMENT THERE IS THAT
12:44PM 13 YOU HAVE TO HOLD THEM RESPONSIBLE.

12:44PM 14 DURING THE TIME PERIOD THAT THEY'RE INVOLVED, ALL
12:44PM 15 THE DRUGS--ALL THE DRUGS THAT WERE TRANSPORTED AND TRANSACTED
12:44PM 16 AND SOLD CAN BE ATTRIBUTABLE TO THEM, BECAUSE THEY'RE A PART
12:44PM 17 OF THIS ORGANIZATION, THEY'RE A PART OF THIS CONSPIRACY.

12:44PM 18 SO AT THE END, WHEN IT ASKS YOU TO PROVE 500 GRAMS
12:45PM 19 OR MORE, WE'VE PROVEN WAY MORE THAN THAT. WAY MORE THAN THAT.
12:45PM 20 AND YOU HAVE IT HERE IN THIS COURTROOM, LADIES AND GENTLEMEN.
12:45PM 21 THAT'S WHAT THE EVIDENCE IS SHOWING YOU AND THAT'S WHAT YOU
12:45PM 22 SHOULD FOLLOW.

12:45PM 23 NOW, WHEN THEY SAY, "THE GOVERNMENT DIDN'T DO THIS,
12:45PM 24 THE GOVERNMENT DIDN'T DO THAT," IT'S A COMMON TACTIC, IT'S A
12:45PM 25 COMMON ARGUMENT TO MAKE. ALWAYS WANTING MORE. "WHERE'S THE

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12:45PM 1 DNA?" YOU KNOW, THIS ISN'T CSI. YOU KNOW, WE'RE NOT ON TV.
12:45PM 2 THINGS DON'T HAPPEN THAT WAY. THAT'S A FANTASY.
12:45PM 3 AGENT MATA TESTIFIED ABOUT THE RESTRICTIONS OF
12:45PM 4 MONEY. THERE WAS 34 DEFENDANTS IN THIS CASE. SO HE'S SUPPOSED
12:45PM 5 TO DO 34 INDEPENDENT AND SEPARATE TITLE III'S, WHICH COST
12:45PM 6 THOUSANDS OF DOLLARS? OR DOES HE RELY ON OTHER TOOLS? DOES
12:45PM 7 HE RELY ON INFORMATION FROM CONFIDENTIAL INFORMANTS? DOES HE
12:45PM 8 RELY ON DEBRIEFS OF PEOPLE THAT ARE BEING ARRESTED AND THEY'RE
12:45PM 9 GIVING INFORMATION, AND THEN HE ARRESTS ANOTHER PERSON AND HE
12:45PM 10 GIVES THAT SAME INFORMATION? THEN THAT INFORMATION IS
12:46PM 11 CORROBORATED AND MORE RELIABLE. CAN HE THEN RELY ON THAT?
12:46PM 12 WELL, OBVIOUSLY, HE CAN, BECAUSE THAT'S HOW HE GOT THE SEARCH
12:46PM 13 WARRANTS FOR THE DIFFERENT LOCATIONS THAT HE WENT TO. AND
12:46PM 14 HE WENT BEFORE A JUDGE, AND A JUDGE THOUGHT THAT THAT WAS
12:46PM 15 SUFFICIENT INFORMATION BASED ON HIS INFORMATION AND
12:46PM 16 INVESTIGATION. SO A JUDGE THOUGHT IT WAS RELIABLE. HE THOUGHT
12:46PM 17 IT WAS RELIABLE. AND THAT'S HOW THIS INVESTIGATION PROCEEDED.
12:46PM 18 SO WHY ISN'T THAT SUFFICIENT?
12:46PM 19 DEFENSE COUNSEL PETRAZIO ARGUES THAT HE AND DEFENSE
12:46PM 20 COUNSEL WHALEN ARE ARGUING THE SAME THING, THAT THERE WASN'T
12:46PM 21 ENOUGH EVIDENCE HERE. BUT THERE REALLY AREN'T [SIC]. BECAUSE
12:46PM 22 MR. WHALEN ARGUES THERE WAS NO SURVEILLANCE, THAT THERE WERE NO
12:46PM 23 RECORDINGS AND THERE WERE NO CONFESSIONS OF HIS DEFENDANT.
12:46PM 24 AND THERE WEREN'T. BUT THERE WERE IN MR. VEGA'S INVESTIGATION.
12:46PM 25 BUT THEY WANT YOU TO BELIEVE, "WELL, THAT'S NOT ENOUGH EITHER."

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12:46PM 1 THE SURVEILLANCE THAT WAS DONE AT HIS HOUSE WHEN HE MOVED THE
12:46PM 2 CAR, THAT'S NOT ENOUGH. THE CONFESSION THAT HE GAVE, IT WAS
12:47PM 3 FABRICATED BY AGENT MATA OR SOMEHOW COERCED BY AGENT MATA.
12:47PM 4 THE RECORDING THAT WAS MADE BETWEEN HIM AND CAZARES, HE'S JUST
12:47PM 5 BEING LOYAL TO MR. CAZARES."

12:47PM 6 AND WHAT'S FUNNY ABOUT THAT IS THERE'S SORT OF AN
12:47PM 7 ADMISSION THAT HE'S INVOLVED IN THIS. BECAUSE HIS ATTORNEY IS
12:47PM 8 ARGUING THAT HE DID THIS BECAUSE OF LOYALTY TO HIS EMPLOYER OR
12:47PM 9 BECAUSE HE WAS FOLLOWING SOME SORT OF ORDERS FROM HIS EMPLOYER.
12:47PM 10 WELL, THAT'S NOT A DEFENSE. FOLLOWING ORDERS IS NOT A DEFENSE.
12:47PM 11 BEING LOYAL TO YOUR EMPLOYER IS NOT A DEFENSE. BECAUSE AS HE
12:47PM 12 SITS THERE, HE'S NOT A CHILD. HE'S CAPABLE OF MAKING HIS OWN
12:47PM 13 DECISIONS. HE'S CAPABLE OF DETERMINING RIGHT FROM WRONG. AND
12:47PM 14 HE DECIDED TO DO WRONG. HE DECIDED TO JOIN WITH HIS FRIEND
12:47PM 15 RAMIRO CAZARES, OR HIS EMPLOYER RAMIRO CAZARES, AND DO WRONG,
12:48PM 16 PICK UP THE DRUGS, TAKE THEM OVER TO THE HOUSE, AND ATTEMPT TO
12:48PM 17 COOK THE DRUGS. THAT WAS HIS DECISION. AND THAT'S A DECISION
12:48PM 18 HE MADE. AND NOW YOU HAVE TO HOLD HIM ACCOUNTABLE FOR THAT.
12:48PM 19 AND THAT'S WHY WE'RE HERE. BECAUSE HE WAS PART OF THIS
12:48PM 20 CONSPIRACY AND THAT WAS HIS PART OF THE CONSPIRACY.

12:48PM 21 NOW, IN REGARDS TO PHOTOGRAPHS, WHY WEREN'T
12:48PM 22 PHOTOGRAPHS TAKEN OF THE VEHICLE OR WHY WERE THEY TAKEN OF
12:48PM 23 THE VEHICLE BUT NOT OF THE HOUSE? PHOTOGRAPHS WERE TAKEN OF
12:48PM 24 THE VEHICLE AT DEA HEADQUARTERS, NOT AT THE SCENE. THAT'S WHY
12:48PM 25 THERE WERE PHOTOGRAPHS TAKEN THERE. THERE WAS A RECORDING MADE

12:48PM 1 WITH MR. CAZARES TO MR. VEGA BECAUSE MR. CAZARES WAS AT DEA
12:48PM 2 HEADQUARTERS, NOT AT THE SCENE.

12:48PM 3 SO THERE'S EXPLANATIONS AS TO WHY AGENT MATA DID
12:48PM 4 WHAT HE DID AND WHY THINGS WEREN'T AVAILABLE TO HIM. WHAT,
12:48PM 5 HE'S SUPPOSED TO WAIT BEFORE HE QUESTIONS SOMEBODY UNTIL HE CAN
12:49PM 6 GET A CAMERA OR HE CAN GET A RECORDING AT THE SCENE? WHAT IF
12:49PM 7 THAT PERSON CHANGES HIS MIND IN THE INTERIM? THEN HE'S LOST
12:49PM 8 THE OPPORTUNITY TO GET A CONFESSION. THAT'S WHY THEY DON'T DO
12:49PM 9 IT.

12:49PM 10 USE YOUR LOGIC AND COMMON SENSE, LADIES AND
12:49PM 11 GENTLEMEN, AND I GUARANTEE YOU THAT YOU'LL REACH THE RIGHT
12:49PM 12 DECISION.

12:49PM 13 NOW, TURNING TO MR. BOWEN, I THINK MR. WHALEN
12:49PM 14 STARTED OFF BY SAYING THAT THERE WAS NO EVIDENCE OF AN
12:49PM 15 AGREEMENT HERE. AND I WOULD ARGUE TO YOU THAT THAT DEFIES
12:49PM 16 LOGIC, BECAUSE THERE IS AN AGREEMENT. BECAUSE THE WITNESSES
12:49PM 17 WHO CAME IN HERE AND TESTIFIED TOLD YOU THERE WAS AN AGREEMENT.

12:49PM 18 HE SAYS THERE WAS NO AGREEMENT BECAUSE THE DRUGS
12:49PM 19 WEREN'T FRONDED TO HIM. WELL, THE EVIDENCE IS, REGARDLESS OF
12:49PM 20 WHETHER THEY WERE OR THEY WEREN'T, HE STILL WENT BACK TO GET
12:49PM 21 MORE DRUGS. THEY NEGOTIATED A PRICE. SO THERE WAS A
12:50PM 22 NEGOTIATION FOR A NEGOTIATED PRICE. AND YOU'VE HEARD THAT
12:50PM 23 IF YOU ARE GONNA COME FREQUENTLY, YOU'RE GONNA GET ONE PRICE.
12:50PM 24 IF YOU'RE GONNA COME INFREQUENTLY, YOU'RE GONNA GET A HIGHER
12:50PM 25 PRICE. SO THERE'S SOME NEGOTIATION. THEY REACHED AN AGREEMENT

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12:50PM 1 AND THEN HE STARTED TO GET DRUGS. THERE'S AN AGREEMENT AS TO
12:50PM 2 WHERE THE DISTRIBUTION IS GONNA HAPPEN, THERE'S AN AGREEMENT
12:50PM 3 AS TO WHEN THE DISTRIBUTION IS GONNA HAPPEN, AND THERE'S AN
12:50PM 4 AGREEMENT AS TO HOW MUCH IS GOING TO BE DISTRIBUTED. THOSE ARE
12:50PM 5 ALL AGREEMENTS THAT WERE MADE BETWEEN MR. BOWEN AND THE SOURCES
12:50PM 6 OF SUPPLY. AND THAT'S IF YOU OVERLOOK THE FACT THAT THERE WAS
12:50PM 7 TESTIMONY FROM OTHER WITNESSES THAT THEY WOULD BRING THE DRUGS
12:50PM 8 TO SHERMAN AND DISTRIBUTE IT THERE. DON'T OVERLOOK THE FACT
12:50PM 9 THAT MS. DAVILA SAID THAT HE HAD HIS RELIABLE CUSTOMERS. HE
12:50PM 10 HAD THREE BLACK MEN THAT WOULD COME, AND THEY WOULD ALL GET 7.5
12:50PM 11 GRAMS, AND THAT WHATEVER HE HAD LEFT HE WOULD PICK UP THE PHONE
12:50PM 12 AND CALL OTHER PEOPLE. WELL, THAT'S EVIDENCE OF DISTRIBUTION.
12:50PM 13 THAT'S EVIDENCE OF HAVING AN AGREEMENT WITH THESE OTHER
12:51PM 14 INDIVIDUALS. HOW CAN YOU ARGUE THAT THERE'S NO AGREEMENT?
12:51PM 15 HOW CAN YOU ARGUE THERE'S NO DISTRIBUTION GOING ON HERE WHEN
12:51PM 16 THE FACTS THAT HAVE BEEN ELICITED DURING THIS TRIAL INDICATE
12:51PM 17 OTHERWISE?

12:51PM 18 NOW, MR. WHALEN ALSO ARGUES ABOUT THE RELIABILITY OF
12:51PM 19 THE WITNESSES AND THE CREDIBILITY OF THE WITNESSES. WELL, THE
12:51PM 20 BOTTOM LINE IS THIS, LADIES AND GENTLEMEN: A LOT OF THESE
12:51PM 21 CASES RISE AND FALL ON WHAT YOU BELIEVE, WHO YOU BELIEVE, AND
12:51PM 22 WHAT AMOUNTS YOU BELIEVE. THAT'S REALLY THE BOTTOM LINE HERE.
12:51PM 23 AND AS I TOLD YOU DURING VOIR DIRE, THERE ARE TWO
12:51PM 24 JUDGES IN THIS COURTROOM. JUDGE SCHELL. JUDGE SCHELL IS THE
12:51PM 25 JUDGE OF THE LAW, AND HE'S GIVEN YOU THAT LAW IN THE JURY

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12:51PM 1 INSTRUCTIONS. YOU ARE THE JUDGES OF THE FACTS, AND YOU GET TO
12:52PM 2 DECIDE ALL WHAT A PERSON TOLD YOU, PART OF WHAT A PERSON TOLD
12:52PM 3 YOU, OR NONE OF WHAT A PERSON TOLD YOU [SIC]. THAT IS YOUR
12:52PM 4 RESPONSIBILITY, THAT'S YOUR JOB. NONE OF US CAN TELL YOU
12:52PM 5 HOW TO DO IT. THE JUDGE MAKES SOME SUGGESTIONS IN THE JURY
12:52PM 6 INSTRUCTIONS, AND HE TELLS YOU TO LOOK AT CERTAIN THINGS.

12:52PM 7 AND I ENCOURAGE YOU TO DO THAT. BUT I ALSO ASK YOU,
12:52PM 8 WHEN YOU ARE CONSIDERING THE TESTIMONY OF A PERSON WHO COMES
12:52PM 9 INTO THIS COURTROOM, WHO DID YOU THINK WAS GONNA COME IN HERE
12:52PM 10 AND TESTIFY? WHO DID YOU THINK WAS GOING TO BE IN THE POSITION
12:52PM 11 TO COME IN HERE AND TELL YOU THESE THINGS? THESE TRANSACTIONS
12:52PM 12 DON'T HAPPEN OUT IN PUBLIC. THESE PEOPLE DON'T WANT TO GET
12:52PM 13 CAUGHT. THEY WANT TO CONTINUE THE DIRTY BUSINESS OF
12:52PM 14 DISTRIBUTING DRUGS AND MAKING DRUGS AND USING DRUGS. THAT'S
12:52PM 15 WHAT THEY WANT TO CONTINUE TO DO. THEY'RE NOT GONNA DO IT IN
12:52PM 16 PUBLIC. THEY'RE NOT GONNA DO IT WHERE EVERYBODY KNOWS. THEY
12:52PM 17 TRAVEL IN SMALL CIRCLES, THIS CIRCLE OF PEOPLE THAT YOU HAVE
12:52PM 18 IN HERE THAT ARE INVOLVED IN THIS TYPE OF DISTRIBUTION. SO WHO
12:53PM 19 DID YOU EXPECT TO COME IN HERE AND TESTIFY? NOT CHOIRBOYS, NOT
12:53PM 20 PREACHERS. IT'S GONNA BE THE PEOPLE THAT ARE INVOLVED. AND
12:53PM 21 THAT'S WHO WE BROUGHT YOU. NOW, YOU HAVE TO DECIDE WHETHER
12:53PM 22 THEY'RE CREDIBLE OR NOT; YOU HAVE TO DECIDE WHETHER YOU BELIEVE
12:53PM 23 THEM OR NOT.

12:53PM 24 AND WE DID GO OVER THE PLEA AGREEMENTS AD NAUSEAM.
12:53PM 25 AND WE DO THAT BECAUSE WE WANT YOU TO SEE THE RESTRICTIONS AND

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12:53PM 1 CONDITIONS THAT THEY'RE UNDER WHEN THEY TESTIFY. WE WANT YOU
12:53PM 2 TO SEE THAT IF THEY LIE, THERE ARE CONSEQUENCES.
12:53PM 3 AND HOW ARE WE GOING TO KNOW THAT THEY'RE LYING
12:53PM 4 TO US? WE'RE GONNA KNOW THAT BECAUSE THE PEOPLE THAT TESTIFY
12:53PM 5 THAT ARE GIVING US INFORMATION, THEY DON'T KNOW WHAT WE KNOW.
12:53PM 6 THEY DON'T KNOW WHO WE'VE TALKED TO. SO IF WE'RE TALKING TO
12:53PM 7 INDIVIDUALS AND THEY DIFFER BETWEEN ONE ANOTHER, AND WE'RE
12:53PM 8 TELLING THEM, "YOU HAVE TO BE 100 PERCENT HONEST," AND WE'VE
12:53PM 9 HEARD DIFFERENT STORIES FROM THOSE PEOPLE, THEN THEY'RE GONNA
12:53PM 10 BE CALLED TO TASK FOR IT. BECAUSE THEY'RE BEING INTERVIEWED
12:53PM 11 AT SEPARATE TIMES, AND THE INFORMATION THAT THE AGENT HAS
12:53PM 12 DEVELOPED THROUGH HIS INVESTIGATION THAT HE KNOWS, AND THE
12:54PM 13 INFORMATION THAT HE HAS DEVELOPED BY DEBRIEFING OTHER PEOPLE,
12:54PM 14 NOT ONLY THE ONE THAT'S GIVING THE INFORMATION, THAT HE KNOWS
12:54PM 15 IS GOING TO BE USED AS A BAROMETER TO TELL US WHETHER THAT
12:54PM 16 PERSON IS TELLING US THE TRUTH OR NOT. AND THEN THAT PERSON
12:54PM 17 IS TELLING THE TRUTH OR NOT. AND ONCE HE MAKES THAT
12:54PM 18 DETERMINATION, THEN WE KNOW WHAT THAT PERSON WILL SAY. AND
12:54PM 19 THEN THAT PERSON IS BROUGHT TO YOU TO TESTIFY. AND YOU SAW THE
12:54PM 20 CONDITIONS THAT ARE IN THE PLEA AGREEMENT, THAT IF THEY DON'T
12:54PM 21 TESTIFY, OTHER CHARGES CAN BE FILED AGAINST THEM, OBSTRUCTION
12:54PM 22 OF JUSTICE, PERJURY, AND THAT WOULD BE STACKED ON TOP OF THE
12:54PM 23 TIME THAT THEY'RE ALREADY LOOKING AT. SO ASK YOURSELF: IF THE
12:54PM 24 GOAL IS TO DO LESS TIME, IF THE GOAL IS TO BE WITH YOUR INFANT
12:54PM 25 CHILD, THEN IT MAKES NO SENSE FOR THEM TO COME IN HERE AND LIE

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12:54PM 1 TO YOU, WHERE THEY WOULD BE EXPOSED TO MORE TIME. THAT'S WHY
12:54PM 2 THOSE PLEA AGREEMENTS ARE WORDED THAT WAY.

12:54PM 3 SO, YES, THERE HAS TO BE SOME INCENTIVE FOR THEM
12:54PM 4 TO COME IN HERE AND TESTIFY, BECAUSE NOBODY WANTS TO COME IN
12:54PM 5 HERE AND TESTIFY AND POINT SOMEONE OUT AND SAY, "THAT'S THE
12:54PM 6 GUY THAT WAS SELLING TO ME." "THAT'S THE PERSON THAT WAS
12:55PM 7 DELIVERING THE DRUGS TO ME." "THAT'S THE PERSON THAT WAS
12:55PM 8 SUPPLYING MY ADDICTION." NO ONE WANTS TO DO THAT. NO ONE
12:55PM 9 WANTS TO DO IT IN FRONT OF STRANGERS.

12:55PM 10 SO IS THERE ANY GUARANTEES OR PROMISES MADE TO THEM?
12:55PM 11 NO.

12:55PM 12 IS THERE A HOPE THAT THEY MAY RECEIVE SOMETHING?
12:55PM 13 YES.

12:55PM 14 AND THEY ALL SAID THAT REPEATEDLY. THAT'S THE
12:55PM 15 INFORMATION THAT YOU HAVE, LADIES AND GENTLEMEN, TO JUDGE THEIR
12:55PM 16 CREDIBILITY. WE DIDN'T HIDE THEIR ADDICTIONS, WE DIDN'T HIDE
12:55PM 17 THEIR CRIMINAL HISTORY, BECAUSE WE WANT YOU TO TAKE ALL OF THAT
12:55PM 18 INTO CONSIDERATION. BUT MOSTLY WHAT WE WANT YOU TO DO IS FOR
12:55PM 19 YOU TO TAKE THEIR TESTIMONY, COMPARE IT TO ANOTHER PERSON'S
12:55PM 20 TESTIMONY THAT CAME INTO THIS COURTROOM, AND SEE THAT THEIR
12:55PM 21 TESTIMONY MATCHES. NOT IN SPECIFIC DETAILS. BECAUSE IF ALL
12:55PM 22 OF THEM CAME IN HERE AND TOLD YOU EXACTLY THE SAME THING, THEN
12:55PM 23 REASON AND COMMON SENSE WOULD LEAD YOU TO BELIEVE "THERE'S
12:55PM 24 SOMETHING GOING ON HERE." SO THAT'S WHY YOU HAVE TO LOOK AT
12:55PM 25 THEIR TESTIMONY.

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12:55PM 1 NOW, YOU ALSO HAVE TO APPLY REASON AND COMMON SENSE.
12:56PM 2 DO YOU REMEMBER WHO YOU MET TWO YEARS AGO? DO YOU REMEMBER
12:56PM 3 WHO YOU PAID A DEBT TWO YEARS AGO? DO YOU REMEMBER ALL THOSE
12:56PM 4 DETAILS? THAT'S WHAT THESE INDIVIDUALS ARE ASKED TO DO. AND
12:56PM 5 THEY'RE BEING ASKED TO DO IT IN A VERY STRESSFUL ENVIRONMENT
12:56PM 6 AND SITUATION--TESTIFYING. AND I'M NOT MAKING EXCUSES FOR
12:56PM 7 THEM, BUT IT IS STRESSFUL TO TESTIFY. SO WHEN THEY SAY THE
12:56PM 8 TIME PERIODS DON'T MATCH UP PERFECTLY, WOULDN'T YOU SUSPECT
12:56PM 9 THAT THERE WAS SOMETHING GOING ON IF THEY DID? IT MAKES MORE
12:56PM 10 SENSE THEY'RE TELLING YOU THE TRUTH BECAUSE THEY DON'T MATCH UP
12:56PM 11 PERFECTLY.

12:56PM 12 NOW MR. SALAZAR. I THINK THERE IS MORE THAN AMPLE
12:56PM 13 EVIDENCE TO CONVICT MR. SALAZAR. EVERY SINGLE WITNESS CAME
12:56PM 14 IN HERE AND TESTIFIED ABOUT MR. SALAZAR. I WAS THINKING ABOUT,
12:56PM 15 WHEN I CAME IN HERE, THAT THERE'S A GAME THAT PEOPLE PLAY AT
12:57PM 16 SOCIAL GATHERINGS WHICH IS CALLED "SEVEN DEGREES OF SEPARATION
12:57PM 17 FROM KEVIN BACON," WHERE YOU SAY A NAME AND YOU TRY AND RELATE
12:57PM 18 IT BACK TO KEVIN BACON. WELL, HERE IT'S SEVEN DEGREES OF
12:57PM 19 SEPARATION FROM RENE SALAZAR, BECAUSE EVERYBODY WHO CAME IN
12:57PM 20 HERE KNEW RENE SALAZAR. THEY KNEW HE WAS A DRUG DEALER. AND
12:57PM 21 YOU CAN LINK PEOPLE ALL THE WAY BACK TO HIM. YOU CAN LINK IT
12:57PM 22 ALL THE WAY UP TO THE SOURCES OF SUPPLY, BECAUSE THE WAY THAT
12:57PM 23 HAPPENS IS YOU'VE GOT THESE INDIVIDUALS DELIVERING TO ANDY
12:57PM 24 NGUYEN, HIS WORKERS DELIVERING TO MANUEL CAMACHO AND PRISCILLA
12:57PM 25 MARCELENO, AND THEN THEY COME TO RENE SALAZAR. OR YOU COULD

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12:57PM 1 START IT FROM THIS OTHER SIDE, CHRISTINA HOUSE TO KENNETH HOUSE
12:57PM 2 TO RENE SALAZAR. THEY ALL CONNECT BACK TO RENE SALAZAR. HE'S
12:57PM 3 THE MAIN POINT OF DISTRIBUTION.

12:57PM 4 AND TO ARGUE THAT THEY'RE NOT PARTNERS IS RIDICULOUS.
12:57PM 5 THEY ALL CAME IN HERE, ALL THE PEOPLE THAT KNEW ABOUT THEIR
12:57PM 6 RELATIONSHIP, AND SAID, "THEY'RE PARTNERS IN DISTRIBUTIONS.
12:57PM 7 WHEN I COULDN'T GET IT FROM RENE, HE WOULD SEND ME OVER TO
12:58PM 8 KENNETH. WHEN KENNETH DIDN'T HAVE IT, HE WOULD SEND ME TO
12:58PM 9 CHARLES." AND YOU HEARD THAT CHARLES WAS DOING HIS OWN DEAL.
12:58PM 10 YOU HEARD THE TESTIMONY THAT HE WAS LEFT IN CHARGE SO THAT THE
12:58PM 11 OPERATION COULD CONTINUE WHILE THEY WERE LOCKED UP. BECAUSE
12:58PM 12 THIS IS WHAT THEY KNOW AND THIS IS WHAT THEY'RE INVOLVED WITH.
12:58PM 13 THIS IS WHAT RENE SALAZAR KNOWS AND THAT'S WHAT HE WAS INVOLVED
12:58PM 14 WITH. THIS IS WHAT TIMOTHY BOWEN KNOWS AND THIS IS WHAT HE'S
12:58PM 15 INVOLVED WITH.

12:58PM 16 AND YOU HEARD THE TESTIMONY ABOUT HIS PRIOR
12:58PM 17 CONVICTION FOR CRACK COCAINE. AND THE JUDGE HAS GIVEN YOU THE
12:58PM 18 INSTRUCTION AS TO HOW TO USE THAT, LADIES AND GENTLEMEN. HIS
12:58PM 19 INTENT. HIS INTENT APPEARS TO BE INVOLVED IN ANOTHER DRUG
12:58PM 20 CASE. SO THE EVIDENCE IS THAT HE'S INVOLVED IN A CONSPIRACY.
12:58PM 21 AND YOU CAN USE THAT INFORMATION TO SHOW THAT HE HAS THE INTENT
12:58PM 22 THAT HE NEEDS TO BE INVOLVED IN THIS CONSPIRACY. THAT'S WHAT
12:58PM 23 THAT SHOWS YOU AND THAT'S WHY THAT WAS OFFERED.

12:58PM 24 NOW LET ME POINT OUT SOME OF THE THINGS THAT I HAVE
12:59PM 25 TALKED TO YOU ABOUT JUST IN GENERAL AND TELL YOU WHERE YOU CAN

12:59PM 1 FIND IT IN THE JURY INSTRUCTIONS.

12:59PM 2 IN THE JURY INSTRUCTIONS THE JUDGE TELLS YOU ON PAGE
12:59PM 3 11 THAT--IN DESCRIBING A CONSPIRACY, HE SAYS, "IT'S A KIND OF
12:59PM 4 PARTNERSHIP IN CRIME IN WHICH EACH MEMBER BECOMES AN AGENT OF
12:59PM 5 EVERY OTHER MEMBER." AND THAT'S WHEN I WAS TALKING TO YOU OR
12:59PM 6 REFERRING--OR ARGUING TO YOU THAT ALL THESE PEOPLE ON THIS
12:59PM 7 SCREEN CAN BE HELD ACCOUNTABLE FOR ALL THE DRUGS THAT WERE
12:59PM 8 SEIZED IN THIS CASE, BECAUSE THEY'RE EACH AN AGENT. THAT'S
12:59PM 9 AS IF YOU WORK FOR A CORPORATION AND YOUR ACTIONS COME BACK
12:59PM 10 TO THAT CORPORATION. ALL OF THESE GUYS ARE WORKING FOR THIS
12:59PM 11 ORGANIZATION BECAUSE THEY'RE DISTRIBUTING. THEY'RE CONNECTING
12:59PM 12 WITH ONE ANOTHER, THEY'RE TRANSPORTING WITH ONE ANOTHER,
12:59PM 13 THEY'RE BRINGING IT BACK, THEY'RE MAKING MONEY, AND THEY'RE
01:00PM 14 SENDING THE MONEY UP THE CHAIN TO MEXICO SO THAT MORE DRUGS
01:00PM 15 CAN COME BACK TO THE UNITED STATES. SO THEY ARE AGENTS FOR
01:00PM 16 ONE ANOTHER. THEREFORE, YOU CAN HOLD THEM ACCOUNTABLE FOR
01:00PM 17 THE QUANTITIES THAT YOU HAVE HERE TODAY.

01:00PM 18 WITH MR. VEGA IT'S EVEN MORE APPARENT BECAUSE OF
01:00PM 19 THE FACT THAT HE WENT AND HE PICKED UP THOSE SIX KILOGRAMS
01:00PM 20 OF METHAMPHETAMINE. SO HE'S WELL OVER 500 GRAMS OF
01:00PM 21 METHAMPHETAMINE. BUT YOU CAN ATTRIBUTE THAT TO THE OTHERS
01:00PM 22 AS WELL.

01:00PM 23 AND THEN ON PAGE 3 AND 4 IT TALKS ABOUT WHAT I ARGUE
01:00PM 24 TO YOU ABOUT THE CREDIBILITY OF THE WITNESSES, THAT YOU HAVE TO
01:00PM 25 DECIDE, YOU AND YOU ALONE ARE THE JUDGES OF THE CREDIBILITY OF

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01:00PM 1 THE WITNESSES, AND YOU HAVE TO DETERMINE WHO YOU BELIEVE AND
01:00PM 2 WHO YOU DON'T BELIEVE. AND IT MAKES CERTAIN SUGGESTIONS. AND
01:00PM 3 THEN I WOULD ASK YOU TO LOOK AT WHO YOU THOUGHT WAS GONNA COME
01:00PM 4 IN HERE AND TESTIFY.

01:00PM 5 NOW, THE INSTRUCTIONS, WHEN IT TALKS ABOUT
01:00PM 6 "UNSUPPORTED TESTIMONY," I HAVE TO COME BACK TO THAT BECAUSE
01:01PM 7 I THINK THAT'S A VERY IMPORTANT POINT. IF THE PEOPLE ARE
01:01PM 8 TELLING YOU THE SAME THING REPEATEDLY, HOW CAN THE TESTIMONY
01:01PM 9 BE UNSUPPORTED? THEY'RE SUPPORTING ONE ANOTHER. IF THE
01:01PM 10 INFORMATION AND THE INVESTIGATION SHOWS THAT THERE ARE ITEMS
01:01PM 11 HIDDEN IN A HOUSE, AND THEN THEY GO AND THEY FIND THOSE ITEMS,
01:01PM 12 HOW IS THE INFORMATION AND TESTIMONY UNSUPPORTED?

01:01PM 13 ONE OTHER THING ABOUT MR. VEGA--AND MS. BATSON
01:01PM 14 TOUCHED ON IT DURING HER ARGUMENT TO YOU--THERE IS WHAT WE
01:01PM 15 CALL IN LAW "CONSCIOUSNESS OF GUILT." AND THAT IS WHEN YOU
01:01PM 16 DO SOMETHING THAT IS INDICATIVE OF A GUILTY CONSCIENCE. FOR
01:01PM 17 EXAMPLE, LET'S SAY SOMEONE IS SITTING ON A STOOP, AND THEY'VE
01:01PM 18 JUST ROBBED A STORE, AND THEY SEE A POLICE OFFICER APPROACHING,
01:01PM 19 AND BEFORE THAT POLICE OFFICER CAN REACH THEM, THEY TAKE OFF
01:02PM 20 RUNNING. THAT'S CONSCIOUSNESS OF GUILT. OKAY?

01:02PM 21 WHAT DID MR. VEGA DO TO SHOW YOU CONSCIOUSNESS OF
01:02PM 22 GUILT? WHAT DID HE ADMIT TO? HE MOVED THE CAR THAT HE KNEW
01:02PM 23 HAD COME FROM ANDY NGUYEN FROM CLOSE PROXIMITY TO HIS APARTMENT
01:02PM 24 TO SOME OTHER LOCATION. HE TOOK THE KEYS TO THAT CAR THAT HE
01:02PM 25 KNEW HAD A COMPARTMENT AND HAD COME FROM ANDY NGUYEN AND HE HID

01:02PM 1 **THEM.**

01:02PM 2 **WHAT ELSE DID HE DO? HE TOOK HIS PHONE AND HE THREW**
01:02PM 3 **IT AWAY.**

01:02PM 4 **THOSE ARE ALL INDICATIONS OF CONSCIOUSNESS OF GUILT.**
01:02PM 5 **THAT'S WHY HE DID THOSE THINGS. AND YOU CAN USE THAT TO**
01:02PM 6 **DETERMINE WHETHER YOU BELIEVE HE'S GUILTY OR NOT. AND I ASK**
01:02PM 7 **YOU TO USE THOSE THINGS AND COMBINE THOSE THINGS WITH ALL**
01:02PM 8 **THE EVIDENCE THAT YOU HEARD, THE RECORDINGS AS WELL AS**
01:02PM 9 **THE TESTIMONY FROM MR. CAZARES.**

01:02PM 10 **YOU DON'T HAVE TO LIKE MR. CAZARES. YOU DON'T HAVE**
01:03PM 11 **TO LIKE THE FACT THAT HE CHEATED ON HIS WIFE AND THAT HE HAD**
01:03PM 12 **GIRLFRIENDS. NO ONE LIKES THAT. BUT YOU HAVE TO JUDGE HIS**
01:03PM 13 **INFORMATION AND HIS STATEMENTS AND COMPARE THAT TO WHAT THE**
01:03PM 14 **DEFENDANT HIMSELF SAID IN HIS CONFESSION.**

01:03PM 15 **AGENT MATA DOESN'T HAVE A PERSONAL VENDETTA AGAINST**
01:03PM 16 **MR. VEGA. HE'S NOT GONNA GET--HE'S NOT LOOKING FOR ANOTHER**
01:03PM 17 **ARREST AS A STAT. HE TOOK A SWORN OATH, AND HE TOLD YOU**
01:03PM 18 **EXACTLY WHAT HAPPENED THAT DAY. THIS DEFENDANT CONFESSED. AND**
01:03PM 19 **HE CONFESSED TO WHAT HE DID. AND YOU CAN HOLD--THAT CONFESSION**
01:03PM 20 **ALONE IS SUFFICIENT FOR YOU TO CONVICT HIM. THAT CONFESSION**
01:03PM 21 **ALONE IS SUFFICIENT FOR YOU TO CONVICT HIM.**

01:03PM 22 **BUT WE BROUGHT YOU MORE THAN THAT, LADIES AND**
01:03PM 23 **GENTLEMEN. BECAUSE WE UNDERSTAND THAT IT'S DIFFICULT TO DO**
01:03PM 24 **THAT RESPONSIBILITY, TO JUDGE THE CREDIBILITY OF WITNESSES. SO**
01:03PM 25 **WE BROUGHT YOU THE WITNESSES SO THAT YOU COULD THEN DETERMINE**

01:04PM 1 WHETHER YOU BELIEVED THEM OR NOT.

01:04PM 2 AND AFTER CLOSE ANALYSIS, LADIES AND GENTLEMEN, I
01:04PM 3 WOULD ARGUE TO YOU THAT THERE IS A LOT OF DETAIL BETWEEN WHAT
01:04PM 4 THEY TOLD YOU THAT'S COMMON. THERE'S A LOT OF COMMONALITY OF
01:04PM 5 INFORMATION AS TO WHAT THEY DID, WHAT THEY WERE INVOLVED WITH,
01:04PM 6 WHO THEY WERE INVOLVED WITH. AND I'M NOT GONNA GO OVER ALL OF
01:04PM 7 THAT, BECAUSE MS. BATSON ALREADY DID.

01:04PM 8 BUT ONCE YOU TAKE ALL OF THAT TOGETHER, PIECE IT
01:04PM 9 TOGETHER, NOT BITS AND PIECES, BUT ALL OF IT TOGETHER--ONCE YOU
01:04PM 10 PUT ALL OF THAT INFORMATION TOGETHER, APPLY THE LAW THAT THE
01:04PM 11 JUDGE HAS GIVEN YOU TO THOSE FACTS, YOU'LL REACH THE RIGHT
01:04PM 12 CONCLUSION THAT THESE DEFENDANTS ARE GUILTY OF THE OFFENSE
01:04PM 13 THAT THEY'RE CHARGED WITH.

01:04PM 14 AND THE JUDGE IS THE JUDGE OF THE LAW HERE. THERE
01:04PM 15 WERE SOME QUESTIONS TO SOME OF THE WITNESSES ABOUT, "WELL, DO
01:04PM 16 YOU THINK YOU WERE IN A PARTNERSHIP? DO YOU THINK YOU WERE
01:04PM 17 IN A CONSPIRACY?" THEIR NOTIONS OF CONSPIRACY OR WHETHER THEY
01:04PM 18 WERE IN A PARTNERSHIP OR WHETHER THEY'RE GUILTY OF THIS OR THAT
01:04PM 19 DOESN'T MATTER IN THIS COURTROOM. WHAT MATTERS IS THE LAW THAT
01:05PM 20 JUDGE SCHELL GAVE YOU TO APPLY TO THE FACTS IN THIS CASE. SO
01:05PM 21 TAKE THE LAW THAT JUDGE SCHELL GAVE YOU, APPLY IT TO THE FACTS
01:05PM 22 THAT YOU BELIEVE IN THIS CASE, AND REACH THE VERDICT THAT THESE
01:05PM 23 DEFENDANTS ARE GUILTY OF CONSPIRACY TO POSSESS WITH THE INTENT
01:05PM 24 TO DISTRIBUTE METHAMPHETAMINE.

01:05PM 25 AND HERE'S THE CHART THAT DRAWS YOU TO THAT

1765

01:05PM 1 CONCLUSION. THE GOAL IS THE DISTRIBUTION OF METHAMPHETAMINE IN
01:05PM 2 SHERMAN AND DENISON, TEXAS. THAT WAS THE GOAL THAT ALL THESE
01:05PM 3 INDIVIDUALS WERE WORKING FOR. THAT'S THE GOAL THAT THEY WERE
01:05PM 4 ACCOMPLISHING REPEATEDLY. THE DISTRIBUTION OF DRUGS--

01:05PM 5 THE COURT: MR. GONZALEZ, YOU HAVE FIVE MINUTES.

01:05PM 6 MR. GONZALEZ: THANK YOU, YOUR HONOR.

01:05PM 7 --THAT'S THE COMMON SCHEME, THAT'S THE COMMON GOAL
01:05PM 8 THAT THEY WERE ALL WORKING FOR. THAT'S WHAT THEY ALL TESTIFIED
01:05PM 9 TO, THE COMMONALITY OF INFORMATION THAT WAS PROVIDED TO YOU,
01:05PM 10 THAT THE DRUGS WERE COMING FROM MEXICO AND EVENTUALLY ARRIVE
01:05PM 11 IN SHERMAN AND DENISON. THE MONEY WOULD THEN GO BACK AND THE
01:05PM 12 PROCESS WOULD START ALL OVER AGAIN.

01:06PM 13 THAT'S IT, LADIES AND GENTLEMEN. THAT'S THE CASE.

01:06PM 14 THAT'S WHAT'S BEEN PRESENTED TO YOU. SO I ASK YOU TO
01:06PM 15 CONTEMPLATE EVERYTHING THAT WAS SAID IN HERE TODAY, THAT WAS
01:06PM 16 SAID TO YOU OVER THE WEEK AND A HALF THAT YOU'VE BEEN HERE,
01:06PM 17 EVALUATE THE CREDIBILITY OF THE WITNESSES, AND FIND THESE
01:06PM 18 DEFENDANTS GUILTY BECAUSE THEY ARE GUILTY.

01:06PM 19 THANK YOU.

01:06PM 20 THE COURT: THANK YOU, MR. GONZALEZ.

01:06PM 21 LADIES AND GENTLEMEN, YOU CAN TAKE YOUR COPY OF THE
01:06PM 22 COURT'S JURY INSTRUCTIONS WITH YOU INTO THE JURY ROOM AND BEGIN
01:06PM 23 YOUR DELIBERATIONS. IT'S A LITTLE AFTER 1:00. YOU MAY WANT
01:06PM 24 TO BREAK FOR LUNCH BEFORE YOU START. I KNOW YOU HAVEN'T HAD
01:06PM 25 LUNCH, NOR HAVE WE. SO WHAT I WOULD SUGGEST YOU DO IS GO TO

01:06PM 1 THE JURY ROOM, LET THE COURT SECURITY OFFICER KNOW WHEN YOU
01:06PM 2 WOULD LIKE TO GO TO LUNCH. AND IF YOU WOULD, PLEASE, DO THAT
01:06PM 3 WITHIN THE NEXT 30 MINUTES SO THAT WE CAN ALL GO TO LUNCH.
01:07PM 4 IS AN HOUR FOR LUNCH ENOUGH TIME? OKAY. WE'LL TAKE AN HOUR
01:07PM 5 FOR LUNCH. OR DO YOU NEED AN HOUR AND 15 MINUTES? AN HOUR IS
01:07PM 6 OKAY? OKAY. WE'LL TAKE AN HOUR FOR LUNCH WHENEVER YOU DECIDE
01:07PM 7 TO GO WITHIN THE NEXT 30 MINUTES.

01:07PM 8 YOU CAN TAKE THE INSTRUCTIONS WITH YOU.

01:07PM 9 ALSO, I WANT TO THANK OUR ALTERNATE JURORS,
01:07PM 10 MS. PEARSON AND MR. BAUER. THANK YOU VERY MUCH FOR YOUR
01:07PM 11 SERVICE HERE. OCCASIONALLY ALTERNATE JURORS ARE NEEDED TO
01:07PM 12 BE SEATED ON THE JURY THAT WILL ACTUALLY DELIBERATE. IN THIS
01:07PM 13 CASE, HOWEVER, ALL 12 OF THE FIRST--ALL OF THE FIRST 12 JURORS
01:07PM 14 ARE READY TO DELIBERATE. SO I'LL EXCUSE YOU AT THIS TIME WITH
01:07PM 15 MY THANKS. YOU WILL BE PAID FOR EVERY DAY OF JURY SERVICE.
01:07PM 16 I WOULD ASK THAT YOU NOT DISCUSS THIS CASE WITH ANYONE ELSE
01:07PM 17 UNTIL AFTER THIS JURY HAS RETURNED A VERDICT. IF THIS JURY
01:07PM 18 DELIBERATES TODAY AND PERHAPS TOMORROW AND SOMEONE SHOULD HAVE
01:07PM 19 TO BE EXCUSED FOR ILLNESS OR SOMETHING, THEN YOU MAY GET A CALL
01:08PM 20 ASKING YOU TO COME BACK AND TAKE A PLACE IN THE JURY ROOM AND
01:08PM 21 DELIBERATE ON THE CASE, BECAUSE YOU'VE HEARD ALL THE EVIDENCE.
01:08PM 22 BUT IN THE MEANTIME, YOU CAN'T DISCUSS THE CASE WITH ANYONE
01:08PM 23 ELSE.

01:08PM 24 OKAY, LADIES AND GENTLEMEN. WHEN YOU DO GO TO
01:08PM 25 LUNCH, YOU CAN GO TOGETHER IF YOU WANT TO, BUT YOU CANNOT

01:08PM 1 DELIBERATE ON THE CASE UNLESS ALL 12 OF YOU ARE IN THE JURY
01:08PM 2 ROOM. SO YOU CAN'T DISCUSS THE CASE UNLESS YOU ARE ALL 12 IN
01:08PM 3 THE JURY ROOM.

01:08PM 4 THANK YOU.

01:08PM 5 COURT SECURITY OFFICER: ALL RISE.

01:08PM 6 [OPEN COURT, DEFENDANTS PRESENT, JURY NOT PRESENT]

01:08PM 7 THE COURT: ALL RIGHT. WE'LL RECESS UNTIL THE JURY
01:09PM 8 COMES BACK WITH A NOTE ABOUT WHEN THEY WANT TO GO TO LUNCH.

01:09PM 9 I'M GOING TO ASK COUNSEL TO GET WITH MS. BATES HERE
01:09PM 10 SO THAT YOU CAN GO THROUGH THE LIST OF EXHIBITS AND MAKE SURE
01:09PM 11 SHE HAS AN ACCURATE LIST SO THAT SHE CAN PROVIDE THE EXHIBITS
01:09PM 12 TO THE JURY.

01:09PM 13 OKAY. THANK YOU.

01:09PM 14 [RECESS]

01:10PM 15 [ATTORNEYS PRESENT WITHOUT DEFENDANTS OR JURY]
01:10PM 16 THE COURT: FOR THE RECORD, I'M INFORMED BY THE
01:10PM 17 COURT OFFICER THAT THE JURY WANTS TO GO TO LUNCH NOW. SO
01:10PM 18 THEY'RE NOT GOING TO COME RIGHT BACK WITH A VERDICT. SO IF
01:10PM 19 YOU WILL GET WITH MS. BATES BEFORE YOU GO TO LUNCH--I'M TALKING
01:10PM 20 ABOUT COUNSEL--SO THAT SHE CAN BE READY TO GIVE THEM THE
01:10PM 21 EXHIBITS, THEN YOU GO TO LUNCH AND COME BACK REASONABLY WITHIN
01:10PM 22 AN HOUR.

01:10PM 23 [LUNCH RECESS]

03:15PM 24 [ATTORNEYS PRESENT, NO DEFENDANTS OR JURY]

03:15PM 25 THE COURT: KEEP YOUR SEATS.

03:15PM 1 WE HAVE A VERDICT.

03:17PM 2 [OPEN COURT, DEFENDANTS PRESENT, JURY NOT PRESENT]

03:18PM 3 THE COURT: OKAY. FOR THE RECORD, THE DEFENDANTS

03:18PM 4 ARE NOW IN THE COURTROOM, ALL COUNSEL ARE HERE.

03:18PM 5 THE JURY RETURNED A VERDICT ABOUT SEVEN MINUTES AGO.

03:18PM 6 SO I THINK WE'RE READY TO BRING IN THE JURY.

03:18PM 7 ALL RIGHT, MR. WESTBERG.

03:18PM 8 COURT SECURITY OFFICER: ALL RISE.

03:19PM 9 [OPEN COURT, DEFENDANTS AND JURY PRESENT]

03:19PM 10 THE COURT: PLEASE BE SEATED.

03:19PM 11 MR. HILL, HAS THE JURY REACHED A UNANIMOUS VERDICT?

03:19PM 12 JURY FOREMAN: WE HAVE.

03:19PM 13 THE COURT: DO YOU HAVE THE VERDICT FORM? WOULD YOU

03:19PM 14 HAND IT TO THE COURT OFFICER.

03:20PM 15 ALL RIGHT, LADIES AND GENTLEMEN. I'M GOING TO READ

03:20PM 16 YOUR VERDICT ALOUD IN OPEN COURT.

03:20PM 17 "AS TO COUNT 1 OF THE SECOND SUPERSEDING INDICTMENT,

03:20PM 18 WE, THE JURY, FIND RENE CORTEZ SALAZAR GUILTY."

03:20PM 19 THE JURY ANSWERED THE QUESTION ABOUT DRUG QUANTITY

03:20PM 20 BY CHECKING THE LINE NEXT TO THE QUANTITY "500 GRAMS OR MORE

03:20PM 21 OF A MIXTURE OR SUBSTANCE CONTAINING A DETECTABLE AMOUNT OF

03:20PM 22 METHAMPHETAMINE OR 50 GRAMS OR MORE OF ACTUAL METHAMPHETAMINE."

03:21PM 23 "AS TO COUNT 1 OF THE SECOND SUPERSEDING INDICTMENT,

03:21PM 24 WE, THE JURY, FIND TIMOTHY LEDON BOWEN GUILTY."

03:21PM 25 THE QUANTITY OF METHAMPHETAMINE CHOSEN BY THE JURY

03:21PM 1 IS "500 GRAMS OR MORE OF A MIXTURE OR SUBSTANCE CONTAINING A
03:21PM 2 DETECTABLE AMOUNT OF METHAMPHETAMINE OR 50 GRAMS OR MORE OF
03:21PM 3 ACTUAL METHAMPHETAMINE."

03:21PM 4 AND FINALLY, "AS TO COUNT 1 OF THE SECOND
03:21PM 5 SUPERSEDING INDICTMENT, WE, THE JURY, FIND JUAN CARLOS VEGA
03:21PM 6 GUILTY."

03:21PM 7 THE QUANTITY OF METHAMPHETAMINE ATTRIBUTABLE TO
03:21PM 8 MR. VEGA IS "500 GRAMS OR MORE OF A MIXTURE OR SUBSTANCE
03:21PM 9 CONTAINING A DETECTABLE AMOUNT OF METHAMPHETAMINE OR 50 GRAMS
03:21PM 10 OR MORE OF ACTUAL METHAMPHETAMINE."

03:21PM 11 DOES EITHER SIDE REQUEST A POLLING OF THE JURY?

03:21PM 12 MR. WHALEN: YES, SIR.

03:21PM 13 THE COURT: OKAY.

03:21PM 14 LADIES AND GENTLEMEN, BY "POLLING," I JUST NEED TO
03:21PM 15 DETERMINE WHETHER OR NOT THE VERDICT THAT I JUST READ IS THE
03:22PM 16 VERDICT THAT EACH OF YOU INDIVIDUALLY VOTED FOR. SO IF WHAT
03:22PM 17 I JUST READ IS WHAT YOU VOTED FOR, WOULD YOU PLEASE STAND.

03:22PM 18 ALL RIGHT. FOR THE RECORD, ALL 12 JURORS ARE
03:22PM 19 STANDING. THANK YOU. YOU MAY BE SEATED.

03:22PM 20 ALL RIGHT, LADIES AND GENTLEMEN, THAT CONCLUDES YOUR
03:22PM 21 JURY SERVICE IN THIS CASE. I WANT TO THANK YOU FOR YOUR TIME
03:22PM 22 AND YOUR ATTENTION TO THIS CASE, AND YOUR SERVICE HERE FOR THE
03:22PM 23 LAST WEEK AND A HALF.

03:22PM 24 YOU WILL, OF COURSE, BE PAID FOR EACH DAY OF JURY
03:22PM 25 SERVICE. I HAVE NOTES HERE TO GIVE TO YOU FOR YOUR EMPLOYER,

03:22PM 1 IF YOU NEED IT. ALSO, IT GIVES YOU INFORMATION ABOUT THE DAYS
03:22PM 2 OF SERVICE AND THE ATTENDANCE FEES THAT YOU'LL BE PAID, AND
03:22PM 3 MILEAGE AND SO FORTH. SO I'LL DELIVER THAT TO YOU.

03:22PM 4 I'VE PREVIOUSLY ASKED YOU NOT TO DISCUSS THIS CASE
03:22PM 5 WITH OTHERS, SUCH AS FAMILY MEMBERS OR FRIENDS OR NEIGHBORS.
03:23PM 6 YOU ARE RELEASED FROM THAT INSTRUCTION. YOU CAN DISCUSS THE
03:23PM 7 CASE WITH ANYONE YOU WANT TO OR NOT DISCUSS THE CASE. THAT'S
03:23PM 8 PURELY UP TO YOU.

03:23PM 9 I HOPE THAT YOU'VE FOUND YOUR JURY SERVICE TO BE
03:23PM 10 INTERESTING. IF YOU ARE INTERESTED IN THE SENTENCING ON THIS
03:23PM 11 CASE, YOU CAN CHECK BACK WITH MY OFFICE PROBABLY IN ABOUT THREE
03:23PM 12 MONTHS. IT TAKES A WHILE FOR THE PRESENTENCE REPORTS TO BE
03:23PM 13 PREPARED AND THEN FOR ME TO SCHEDULE THE DEFENDANTS FOR
03:23PM 14 SENTENCING. THIS CASE INVOLVED 34 CODEFENDANTS, AND SO I HAVE
03:23PM 15 A LOT--AND MOST OF THEM, AS YOU KNOW, ENTERED PLEAS OF GUILTY.
03:23PM 16 SO I HAVE A LOT OF SENTENCING HEARINGS TO CONDUCT ON JUST THIS
03:23PM 17 CASE.

03:23PM 18 BUT WHAT WILL HAPPEN IS A PROBATION OFFICER WILL
03:23PM 19 PREPARE A PRESENTENCE REPORT. THAT WILL GIVE ME INFORMATION
03:24PM 20 NOT ONLY ABOUT THE FACTS OF THE CASE--AND I'VE LEARNED THE
03:24PM 21 FACTS AS WE'VE HAD THE TRIAL, BUT IT WILL ALSO GIVE ME
03:24PM 22 BACKGROUND INFORMATION ON EACH OF THE THREE INDIVIDUALS HERE.
03:24PM 23 AND SO FROM THAT INFORMATION THERE ARE CALCULATIONS THAT ARE
03:24PM 24 MADE UNDER THE U.S. SENTENCING GUIDELINES. AND ONCE THAT'S
03:24PM 25 DONE, THEN I'LL SET THE CASE--OR EACH DEFENDANT FOR SENTENCING.

03:24PM 1 I'M GOING TO ASK YOU NOW TO GO WITH THE COURT
03:24PM 2 OFFICER BACK TO THE JURY ROOM. I WANT TO COME BACK THERE AND
03:24PM 3 ANSWER A QUESTION THAT YOU SENT TO ME EARLIER AND ALSO EXPLAIN
03:24PM 4 TO YOU WHAT WE WERE DOING YESTERDAY FOR AN HOUR AND 45 MINUTES
03:24PM 5 WHILE YOU WERE WAITING. AND THEN IF YOU HAVE ANY QUESTIONS FOR
03:24PM 6 ME, I'LL ANSWER THEM.

03:24PM 7 IF YOU WANT TO TALK TO THE LAWYERS, YOU CAN TELL ME,
03:24PM 8 AND WHEN I COME BACK OUT I'LL ASK THEM TO STEP IN AND VISIT
03:24PM 9 WITH YOU.

03:24PM 10 OKAY. WOULD YOU GO WITH MR. WESTBERG.

03:25PM 11 COURT SECURITY OFFICER: ALL RISE.

03:25PM 12 [OPEN COURT, DEFENDANTS PRESENT, JURY NOT PRESENT]

03:25PM 13 THE COURT: ALL RIGHT. YOU CAN BE SEATED.

03:25PM 14 MR. GONZALEZ: YOUR HONOR, AT THIS TIME THE
03:25PM 15 GOVERNMENT WOULD MAKE A MOTION TO SUBSTITUTE PHOTOS FOR
03:25PM 16 THE PHYSICAL EXHIBITS FOR THE PURPOSES OF THE RECORD.

03:25PM 17 THE COURT: OKAY. DO YOU HAVE A LIST OF THOSE
03:25PM 18 EXHIBITS? OR JUST ANY PHYSICAL EXHIBIT?

03:25PM 19 MR. GONZALEZ: I DON'T HAVE A LIST, YOUR HONOR.
03:25PM 20 ANY PHYSICAL EXHIBIT THAT WAS OFFERED INTO EVIDENCE WE HAVE
03:25PM 21 A PHOTOGRAPH OF, TO INCLUDE THE DRUGS.

03:25PM 22 THE COURT: LIKE DRUGS AND SCALES AND--

03:25PM 23 MR. GONZALEZ: YES, SIR. POTS AND PANS AND ALL
03:25PM 24 THAT.

03:26PM 25 THE COURT: OKAY.

03:26PM 1 ANY OBJECTION?

03:26PM 2 MR. WHALEN: NO OBJECTION, YOUR HONOR.

03:26PM 3 MR. KEMP: NO OBJECTION.

03:26PM 4 MR. PETRAZIO: NO OBJECTION.

03:26PM 5 THE COURT: OKAY.

03:26PM 6 THE GOVERNMENT'S MOTION IS GRANTED.

03:26PM 7 MR. SALAZAR, MR. VEGA AND MR. BOWEN, I'M GOING TO

03:26PM 8 REMAND YOU TO THE CUSTODY OF THE MARSHAL. AS SOON AS YOUR

03:26PM 9 PRESENTENCE REPORTS ARE COMPLETED IN YOUR CASES, I WILL SET

03:26PM 10 YOU FOR SENTENCING.

03:26PM 11 IS THERE ANYTHING FURTHER, MR. GONZALEZ?

03:26PM 12 MR. GONZALEZ: NO, YOUR HONOR.

03:26PM 13 THE COURT: MR. WHALEN?

03:26PM 14 MR. WHALEN: NO, YOUR HONOR.

03:26PM 15 THE COURT: MR. KEMP?

03:26PM 16 MR. KEMP: NOT AT THIS TIME.

03:26PM 17 THE COURT: MR. PETRAZIO?

03:26PM 18 MR. PETRAZIO: NO, YOUR HONOR.

03:26PM 19 THE COURT: OKAY. WE WILL RECESS ON THIS CASE.

03:26PM 20 THANK YOU.

03:26PM 21 [END OF TRIAL]

03:26PM 22 -----

03:26PM 23

03:26PM 24

03:26PM 25

1 COURT REPORTER'S CERTIFICATE
2

3 I CERTIFY THAT PAGES 1627 THROUGH 1804 CONTAIN A CORRECT
4 TRANSCRIPT FROM THE RECORD OF PROCEEDINGS.

5 MAY 23, 2014.

6 

7 JERRY KELLEY, CRR
8 OFFICIAL COURT REPORTER
9 U.S. COURTHOUSE
10 7940 PRESTON ROAD
11 PLANO, TEXAS 75024
12 214-872-4829
13
14
15 -----
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